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Part II contains E.O. 11360, Amending The Selective Service Regulations

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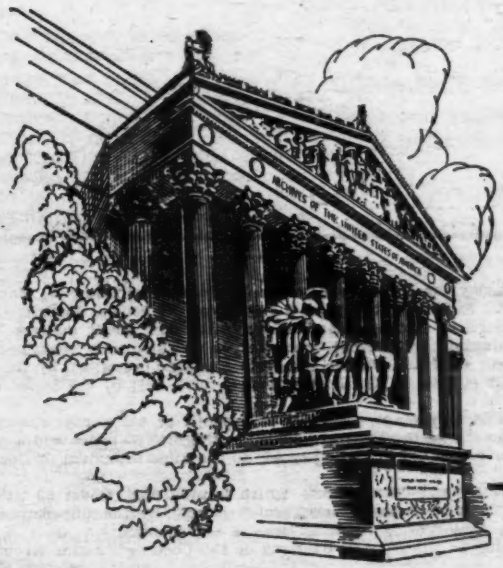

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Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that the position of Special Assistant for Manpower Affairs, Office of the Assistant Secretary of Defense (Manpower) is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (53) is added under paragraph (a) of § 213.3306 as set out below.

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *

(53) Special Assistant for Manpower Affairs.

* * * * *

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-7606; Filed, July 3, 1967; 8:50 a.m.]

PART 511—POSITION CLASSIFICATION UNDER THE CLASSIFICATION ACT SYSTEM

PART 534—PAY UNDER OTHER SYSTEMS

Miscellaneous Amendments

Section 511.201(b) is amended to show exclusion from Part 511 and from classification under the General Schedule of student dental interns, Department of Health, Education, and Welfare. Section 534.202(b) is amended to show exclusion from certain pay provisions, the additional maximum stipends prescribed for student dental interns, Department of Health, Education, and Welfare. Sections 511.201(b) and 534.202(b) are amended as set out below.

1. Effective June 20, 1967, the following item is added to paragraph (b) of § 511.201:

§ 511.201 Coverage of and exclusions from the Classification Act.

* * * * *

(b) *Exclusions.* * * *

Dental student interns, Department of Health, Education, and Welfare, approved training after a minimum of 1 year dental school training.

* * * * *

(5 U.S.C. 5102, 5351)

2. Effective June 20, 1967, § 534.202(b) is amended as follows:

§ 534.202 Maximum stipends.

* * * * *

(b) * * *

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* * * * *

(5 U.S.C. 5351, 5352, 5541)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-7607; Filed, July 3, 1967; 8:50 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

Subpart A—Official Records

Subpart A of Part 1, Title 7, is revised to read as follows:

Subpart A—Official Records

Sec.
1.1 Policy.
1.2 Request for examination or copy of records.
1.3 Authentication.
1.4 Restrictions on availability.
1.5 Compulsory process.
1.6 Records in formal adjudication and formal rule-making proceedings.

AUTHORITY: The provisions of this Subpart A issued under 5 U.S.C. 552, 559.

§ 1.1 Policy.

It is the policy of this Department to make its records available to the public to the maximum extent consistent with the national welfare and the rights of individual citizens. This means that, with certain exceptions, the records of the Department are freely available for public inspection. The exceptions are limited to those expressly required by law or authorized by the standards and principles contained in 5 U.S.C. 552(b).

§ 1.2 Request for examination or copy of records.

(a) *General.* Request for examination of a record or for a copy thereof shall be made to the agency administering the program. Examination of records shall be at the time and place specified by the agency; and copies or extracts shall be furnished and the recipient charged, where appropriate, in accordance with the Department fee schedule.

(b) *Fee schedule.* The Director, Office of Plant and Operations, shall issue regulations relating to fees and charges for reproductions and for furnishing copies and making searches of official records.

§ 1.3 Authentication.

When a request is received for an authenticated copy of a document which may be made available to the requesting party, the agency having possession thereof shall cause a correct copy to be prepared and sent to the Office of the General Counsel which shall certify the same and cause the seal of the Department to be affixed, except that the Judicial Officer, or the Hearing Clerk when directed by the Judicial Officer, may authenticate copies of documents in the records of the Hearing Clerk.

§ 1.4 Restrictions on availability.

(a)(1) Each agency in the Department, or the Assistant Secretary having responsibility for the activities of the agency, shall issue regulations setting forth the records which are exempt for disclosure because they are:

(i) Matters specifically required by Executive order to be kept secret;

(ii) Matters related solely to the internal personnel rules and practices of the Department;

(iii) Matters specifically exempted from disclosure by statute;

(iv) Trade secrets and commercial or financial information obtained from any person and privileged or confidential;

(v) Inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the Department;

(vi) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(vii) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(viii) Matters contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency of the Department responsible for the regulation or supervision of financial institutions; or

(ix) Geological and geophysical information and data, including maps, concerning wells.

(2) The records of the Department that are within the above categories shall not be available to the public even though not specifically set forth in the agency regulations.

(3) Except where disclosure is prohibited by Executive order or statute, or by regulations of other Government agencies, the head of an agency may, in individual cases, make records exempt

from disclosure available if he determines that disclosure will not adversely affect the national interest or constitute an unwarranted invasion of individual privacy.

(b) Agency regulations shall specify when records become available for inspection, where and the time when records may be inspected, the procedures to be followed in requesting access, the opportunity for appeal to the head of the agency where access is denied, and such other provisions as may be necessary to carry out the policy of this subpart.

(c) In determining which records shall be exempt, agencies shall be guided by the Attorney General's Memorandum On The Public Information Section of the Administrative Procedure Act, June 1967, or any revision thereof, and the committee reports referred to therein. (This Memorandum may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.)

(d) Upon determination by a representative of an agency that a record is not available, the person requesting the record may appeal in writing to the head of the agency whose decision shall be final.

(e) Many of the records in the files of agencies of the Department are obtained from other agencies of the Department and other departments and agencies of the Government. Where the question of the availability of a record is determined to be primarily the responsibility of an agency other than the agency receiving a request therefor, the request will be referred to that agency for processing in accordance with that agency's regulations and the person submitting the request shall be so notified. In such instance the decision of the responsible officer of the agency having such responsibility with respect to the record shall be honored by agencies of this Department.

(f) The regulations in this subpart and 5 U.S.C. 552(a) deal only with records in being and in the possession or control of an agency and impose no obligation to compile or procure a record in response to a request.

§ 1.5 Compulsory process.

(a) *Referral to Secretary.* In any case where it is sought by subpoena, order, or other compulsory process or demand (hereinafter in this part referred to as a "demand") to require the production or disclosure of any record or material which is exempt from disclosure under § 1.4 or information related thereto acquired by an employee of this Department in the performance of his official duties or because of his official status, the matter shall be referred to the agency head for determination. If the agency head determines that it would be improper to comply with the demand, the matter will be referred to the Secretary of Agriculture for final determination. Unless the Secretary determines that the records, material, or information should be produced, the employee who appears in answer to the demand will respectfully decline to produce or disclose the records, material, or information demanded on the ground that the disclosure is prohibited by this section. The employee shall provide the court or other authority with a copy of the regulations prescribed in this subpart and shall respectfully request the court or other authority to withdraw the demand.

(b) *Demand before court or other authority for records or information exempt from disclosure.* Whenever a demand of the type described in paragraph (a) of this section is made upon an employee of this Department by a court or other authority while he is appearing before, or is otherwise in the presence of the court or other authority, the employee, or other appropriate Government official or attorney acting on behalf of the employee, shall (1) immediately inform the court or other authority that this section prohibits the employee from producing or disclosing the information or material demanded without the prior approval of the agency head or the Secretary of Agriculture, and (2) offer to refer the demand for the prompt consideration of the agency head or the Secretary of Agriculture. Unless the court or other authority withdraws the demand, the employee, or other appropriate Government official or attorney, shall provide the court or other authority a copy of the regulations prescribed by this subpart and shall respectfully request the court or other authority to stay the demand pending the receipt of instructions or directions from the agency head or the Secretary of Agriculture concerning the demand.

(c) *Procedure in the event of an adverse ruling.* If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with paragraph (a) or (b) of this section pending the receipt of instructions or directions from the agency head or the Secretary of Agriculture, or if the court or other authority rules adversely on any claim of privilege that may be asserted in conformity with the provisions of this subpart or with instructions or directions issued by the Secretary of Agriculture pursuant thereto, the employee upon whom the demand shall have been made shall, pursuant to the regulations prescribed in this subpart, respectfully decline to produce or disclose the records, material, or information demanded.

§ 1.6 Records in formal adjudication and formal rule-making proceedings.

Records in formal adjudication and formal rule-making proceedings are on file in the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, and shall be made available to the public.

Effective date. These regulations shall become effective July 4, 1967.

Done at Washington, D.C., this 29th day of June 1967.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 67-7642; Filed, July 3, 1967; 8:53 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 370—PUBLIC INFORMATION

The Agricultural Research Service hereby establishes rules for the implementation of 5 U.S.C. 552(a) (2) and (3). The provisions of this part are applicable to all programs and activities of ARS. These rules are incorporated in a new Part 370, the text of which follows:

Subpart A—Availability of Publications, Rules and Regulations, Staff Manuals and Instructions and Related Material

Sec.
370.1 ARS publications.
370.2 ARS rules and regulations.
370.3 Staff manuals and instructions.
370.4 Index.
370.5 Facilities for inspection and copies.

Subpart B—Availability of Identifiable Records

370.10 Requests.
370.11 Delegation of authority.
370.12 Available records.
370.13 Exempt records.
370.14 Determinations.
370.15 Appeals.
370.16 Inspection and copies.

AUTHORITY: The provisions of this Part 370 issued under 5 U.S.C. 552, 559.

Subpart A—Availability of Publications, Rules and Regulations, Staff Manuals and Instructions and Related Material

§ 370.1 ARS publications.

The ARS issues publications covering results of completed research and furnishing technical agricultural information. Most of these publications are available free from the USDA Publication Division, Office of Information, or from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, at established rates. Publications not available from these sources will be made available for public inspection and copying.

§ 370.2 ARS rules and regulations.

The ARS continuously publishes and maintains current rules and regulations covering its regulatory responsibilities. Such rules and regulations are set forth in Chapter I, Title 7 and Chapter III, Title 9 of the Code of Federal Regulations and are made currently available to the public by publication in the daily FEDERAL REGISTER, which is available to the public, as published, from the Government Printing Office.

§ 370.3 Staff manuals and instructions.

ARS will make available for public inspection and copying its administrative staff manuals and instructions to staff, affecting any member of the public except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b).

§ 370.4 Index.

ARS will maintain and make available at each office for public inspection and copying a current index providing identifying information for staff manuals and instructions, related forms, and other matters issued, adopted, or promulgated with respect to programs for which it has responsibility, and which are required to be made available pursuant to 5 U.S.C. 552(a)(2).

§ 370.5 Facilities for inspection and copies.

Facilities for public inspection and copying of the material described in the foregoing sections will be provided in a reading area by ARS. Addresses are listed below. Copies of such material may also be obtained in person or by mail. Applicable fees are prescribed by the Director, Office of Plant and Operations, USDA.

I. Farm Research—Material concerning farm research programs:

Deputy Administrator for Farm Research, ARS, Room 324–A, Administration Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

II. Nutrition, Consumer and Industrial Use Research—Material concerning research and development programs to provide new, wider, and more effective uses for agricultural products and byproducts:

Deputy Administrator, Nutrition Consumer and Industrial Use Research, ARS, Room 310–A, Administration Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

III. Marketing Research—Material involving the research programs concerning the improvement and protection of quality and efficient handling of agricultural products as they pass through the marketing system:

Deputy Administrator, Marketing Research, ARS, Room 350–A, Administration Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

IV. Regulatory and Control—Material concerning regulatory and control programs covering animal and plant pests and diseases:

Deputy Administrator, Regulatory and Control, ARS, Room 302–E, Administration Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

V. Administrative Management—Material concerning administrative management activities:

Deputy Administrator, Administrative Management, ARS, Room 304–A, Administration Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

VI. Foreign Research and Technical Activities—Materials concerning foreign research contract and grant activities for the Department carried out by foreign governments and scientific organizations under Public Law 480 and related legislation:

Director, Foreign Research and Technical Programs Division, ARS, Room 344–A, Administration Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

VII. Information Division—Published material concerning research and regulatory activities, including press releases, special articles, periodicals:

Director, Information Division, ARS, Room 5133, South Agriculture Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

Subpart B—Disclosure of Identifiable Records

§ 370.10 Requests.

Requests for ARS records, pursuant to 5 U.S.C. 552(a)(3), shall (a) be made in writing to the appropriate Deputy Administrator or Division Director responsible for the program (30 F.R. 5799, April 24, 1965, as amended) and (b) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail.

The above does not preclude persons from requesting such material in person, or in writing, directly from a field office, if it has been customary to obtain the information in this matter and the request is made during the local working hours of the office involved.

§ 370.11 Delegation of authority.

Subject to section 370.15, the Deputy Administrators or the Directors of the Information or Foreign Research and Technical Programs Division are authorized to act, on behalf of ARS, on all such requests in accordance with 5 U.S.C. 552, as implemented by this subpart.

§ 370.12 Available records.

ARS will promptly make available all ARS records requested in accordance with section 370.10 except exempt records as described in section 370.13.

§ 370.13 Exempt records.

Exempt records of ARS include the following:

(a) Matters specifically required by executive order to be kept secret.

(b) Matters related solely to the internal personnel rules and practices of the agency.

(c) Matters specifically exempted from disclosure by statute. This would include but would not be limited to:

(1) Section 3c(4) of the Federal Insecticide, Fungicide, and Rodenticide Act, prohibiting the disclosure of information relative to formulas of products acquired by authority of section 4 of the Act.

(d) Matters that are trade secrets and commercial or financial information obtained from a person and privileged or confidential. This would include but would not be limited to:

(1) Scientific and technical data on products or processing methods submitted by contractor, grantee, cooperator and manufacturer or processor.

(2) Data in research studies including information on commercial facilities and procedures where disclosure would adversely affect the respondent.

(3) Records concerning research project descriptions, progress reports or information concerning incomplete research prior to formal publication when such release would adversely affect the public interest.

(4) Data on products, sales, manufacturing or processing methods (includes data on plants, animals or animal byproducts, being moved by permit or license, etc.) from manufacturers or processors, licensee, registrant, permittee and laboratory or field tests.

(5) Data relating to disease outbreak identifying suspect or related animal, owner, source of outbreak, etc.

(e) Interagency or intraagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency. This would include but would not be limited to:

(1) Records involving any pending or expected claim actions against the Government resulting from property damage or personal injury.

(2) Records involving pesticide accidents resulting from plant pest control programs.

(3) Documents covering agency plans which may be subject to revision before presentation.

(4) Reports of internal deliberations where premature release could harm the authorized and appropriate purpose for which they are being used.

(5) Preparatory budget material.

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. This would include but would not be limited to:

(1) Records regarding revocation of accreditation of veterinarians to conduct tests on animals and poultry diseases.

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

§ 370.14 Determinations.

The appropriate Deputy Administrator or Division Director shall promptly make available any ARS records requested in accordance with section 370.10, unless he determines that it is an exempt record. He shall give prompt written notice of any such determination together with the reasons therefor.

§ 370.15 Appeals.

The denial of any request for an ARS record or records may be appealed by the person who made the request to the Administrator of ARS. The appeal shall be made in writing within 30 days. The Administrator will give written notice of ARS' final determination.

§ 370.16 Inspection and copies.

A person who has requested available records shall be promptly notified that upon payment of applicable fees, he may inspect and copy such records (or copies) and purchase copies or extracts thereof, in the office, listed under section 370.5, on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. The applicable fees are prescribed by the Director, Office of Plant and Operations, USDA.

Effective Date: The provisions of this Part 370 are effective on July 4, 1967.

GEORGE W. IRVING, Jr.
Administrator,
Agricultural Research Service.

JUNE 30, 1967.

[F.R. Doc. 67-7725; Filed, July 3, 1967; 8:56 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 18]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

MISCELLANEOUS AMENDMENTS

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purposes of this amendment are as follows:

1. Section 722.411(a)(7) is clarified to provide that a minimum allotment shall not be established for a tract or tracts resulting from a reconstitution by division where such tract or tracts will be combined with another farm for the current year.

2. Sections 722.411(b) and 722.413(b)(4)(iii) are added to provide that only in rare cases shall reserve and reapportioned acreage be allocated to a farm from which acreage has been transferred under section 344(a) of the Act.

3. Section 722.414 (a)(1) and (b)(1) are amended to explain that for farms in certification counties for which a timely certification of acreage is not filed, the acreage considered to have been planted to cotton shall be zero in accordance with the regulations in Part 718 of this chapter.

Since the 1967 crop is now being planted and compliance certifications are now being accepted in county offices, the farmers need to know the provisions of these amendments as soon as possible. It is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 (80 Stat. 383) is impracticable and contrary to the public interest. Accordingly, this amendment shall be effective upon filing with the Director, Office of the Federal Register.

The regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended) are amended as follows:

1. Section 722.411(a)(7) is amended and a new paragraph (h) is added to read as follows:

§ 722.411 Establishment of farm allotments.

(a) *Farm allotment bases and minimum allotment requirements.* * * *

(7) Minimum allotment—the minimum allotment for each old cotton farm for which a 1958 allotment was established shall be the smaller of 10 acres or the adjusted 1958 farm allotment determined for the current year. In the case of reconstitution of a farm by division where one or more of the tracts to be divided from the parent farm will be combined with another farm for the current year, such tract or tracts shall not be eligible for a minimum allotment prior to such combination.

* * * * *

(h) *Additional limitations on use of reserve acreage.* County reserve acreage and acreage allocated to the county from the State reserve may not be used to make adjustments in farm allotments under paragraphs (c), (d), and (g) of this section for farms from which allotment was transferred in the current or a prior year under section 344(a) of the Act: *Provided,* That the county committee, with the approval of a representative of the State committee, may make adjustments in farm allotments for such farms in exceptional cases including but not limited to cases where the transferor will not benefit from the adjustment, or the transfer was temporary and allotment has been returned to the farm for the current year.

2. Section 722.413(b)(4) is amended by adding a new subdivision (iii) at the end thereof to read as follows:

§ 722.413 Release and reapportionment of cotton allotments.

* * * * *

(b) *Allotments which may be released and reapportioned.* * * *

(4) *Standards and guidelines for reapportionment.* * * *

(iii) Allotment may not be reapportioned to a farm from which allotment was transferred in the current or a prior year under section 344(a) of the Act: *Provided,* That the county committee, with the approval of a representative of the State committee, may reapportion allotment to such farm in exceptional cases including but not limited to cases where the transferor will not benefit from the reapportioned allotment, or the transfer was temporary and allotment has been returned to the farm for the current year.

* * * * *

§ 722.414 [Amended]

3. Section 722.414(a)(1) is amended by adding the following sentence at the end thereof to read as follows: "For farms in certification counties for which a timely certification of acreage is not filed, the acreage considered to have been planted to cotton shall be zero in accordance with the regulations in Part 718 of this chapter."

4. Section 722.414(b)(1) is amended by removing the period at the end of the paragraph, inserting a colon and adding a new clause at the end thereof to read as follows: "*Provided further,* That for farms in certification counties for which a timely certification of acreage is not filed, the acreage considered to have been planted to cotton shall be zero in accordance with the regulations in Part 718 of this chapter."

(Secs. 344, 344a, 374, 375, 377, 63 Stat. 670, as amended, 79 Stat. 1197, 52 Stat. 65, as amended, 52 Stat. 66, as amended, 70 Stat. 206, as amended, 7 U.S.C. 1344, 1344b, 1374, 1375, 1377)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 28, 1967.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-7597; Filed, July 3, 1967; 8:49 a.m.]

SUBCHAPTER E—PUBLIC RECORDS

PART 798—AVAILABILITY OF INFORMATION TO THE PUBLIC

The Agricultural Stabilization and Conservation Service (hereinafter referred to as ASCS) hereby creates a new subchapter and part in order to publish for the guidance of the general public the rules of availability of its records pursuant to 5 U.S.C. 552.

Sec.
798.1 Records available to the public.
798.2 Index.
798.3 Records not available to the public.
798.4 Determination of availability.
798.5 Deletion of identifying details.
798.6 Procedure for requesting records.
798.7 Fees.
798.8 Appeal procedure.

AUTHORITY: The provisions of this Part 798 issued under 5 U.S.C. 552, 559.

§ 798.1 Records available to the public.

All ASCS records, unless exempted from disclosure by departmental regulations, shall be available to the general public. Records shall be available upon their creation (that is, when they are approved by proper authority or published) except where premature disclosure would constitute an unwarranted invasion of personal privacy, a violation of confidence, or would substantially prejudice effective performance of the program involved. The following are illustrative of records which shall be available sometime after their creation:

(a) *Records which shall be available as specified.* (1) Information on the extent of price-support activity, such as the total amount of a commodity placed under loan for a particular period, shall be available after a national press release for the period has been issued. The national release is normally issued about the 20th of each month covering the activities up to the end of the preceding month.

(2) Commodity Credit Corporation (hereinafter referred to as CCC) price-support dockets shall be available after public announcement of the program has been made. ("Docket" means the several basic documents submitted to the CCC Board of Directors for their action.)

(3) CCC supply dockets shall be available after termination of purchase activity.

(4) CCC dockets involving programs under Titles I and II of Public Law 480, 83d Congress, as amended, shall be available after the program is terminated.

(5) Records of the quantities and prices paid for grain sold from CCC

stocks shall be available after one intervening market trading session.

(6) Records on commodity programs which would affect the markets shall be available after the markets close.

(b) *Records which shall be available after 30 days.* (1) The amount of any payment or loan to a farmer.

(2) Prices paid by individual buyers for cotton from CCC stocks.

(3) Names of successful bidders for grain from CCC stocks.

(4) Notices of sale submitted by exporters.

(5) Various reports compiled from the Daily Report of Wheat Sales Registered for Export.

§ 798.2 Index.

ASCS shall maintain for public inspection and copying an index of directives, CCC Board dockets, CCC Contract Disputes Board decisions, and marketing quota Review Committee determinations. "Directives" include such records as handbooks, notices, and checklists issued by national and field offices, numbered Administrator's Memos, and bin site directories.

§ 798.3 Records not available to the public.

The following records are illustrative of records which shall not be made available to the public unless the Administrator, ASCS (Executive Vice President, CCC) in an individual case, where disclosure is not prohibited by Executive order or statute, determines that the disclosure will not adversely affect the national interest or constitute an unwarranted invasion of individual privacy:

(a) Information furnished in confidence by persons, including sugar processors and growers, wool producers, warehousemen, producer associations, and dealers to assist ASCS or CCC in formulating and operating programs involving these groups.

(b) Trade secrets and commercial or financial information furnished by any person incident to entering into a contract, or securing a loan, or transacting other business with ASCS or CCC.

(c) Bid documents on formal procurement contracts. (Abstract of bids is available to the public.)

(d) Working papers, preliminary drafts, internal correspondence, corrections, estimates, projections, economic analyses and budgetary planning documents involved with formulation of budget requests, CCC Board dockets, and plans for activities concerning total stocks and CCC stocks of agricultural commodities.

(e) Maximum and minimum price guidelines established for the guidance of purchasing officers and for merchandisers of CCC-owned commodities or of commodities under loan to CCC.

(f) Audit and investigation reports and their supporting case files, except to the extent available by law to a party other than an agency.

(g) Lists and case files of persons suspended or debarred from contracting with CCC or ASCS.

(h) Agency directives which contain operating rules and guidelines for investigators, examiners, and inspectors such as the Commodity Inspection and Maintenance Handbook (2–IM) and Protective Services for Shipments of ASCS Perishable Commodities Handbook (2–TS).

(i) Information on imports of sugar by individual companies.

(j) Minutes of executive meetings of State and county committees.

(k) Blank copies of accountable or negotiable forms.

(l) Data reported by or acquired from farmers engaged in the production of corn, wheat, cotton, rice, peanuts, or tobacco for market pursuant to 7 U.S.C. 1373, including proof of acreage, yield, storage, or marketings of the commodity. This includes aerial photographs on which such data is recorded.

(m) Interagency or intra-agency memorandums or letters which would not be available by law to a party other than an agency of the government in litigation with ASCS.

(n) Correspondence between ASCS or CCC and persons outside ASCS or CCC which is privileged or confidential.

(o) Individual personnel, medical, and similar records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(p) Records which are specifically exempted from disclosure by statute or Executive order.

§ 798.4 Determination of availability.

The head of the records-holding office upon request by any person for a record, the availability of which is in question, shall determine its availability subject to the approval of the appropriate deputy administrator of ASCS.

§ 798.5 Deletion of identifying details.

The records-holding office shall delete from the record, before making it available, identifying details such as business affairs and medical or family matters, the disclosure of which would be a clearly unwarranted invasion of personal privacy, and shall prepare a covering letter, to be furnished wtih the record, justifying the deletion.

§ 798.6 Procedure for requesting records.

(a) *Where to request records.* Each ASCS office in the field and each ASCS office and division in Washington (see statement of Organization and Functions of ASCS (28 F.R. 4368) and of CCC (28 F.R. 13795) and any amendments thereto) is designated an "information center" and shall make space available for any person to inspect a record and shall provide copies of requested records as provided in paragraph (d) of this section. Requests shall be made during the regular working hours of such office or division. The office or division shall furnish the requested record within that reasonable period of time which allows it to honor the request without undue interference with its regular operations.

(b) *How to request records.* Any person may make a request in writing or verbally, except that requests for lists of farmers, committeemen, or employees must be in writing. Requests for such lists shall contain a statement that they will not be used by the requester or be made available to other persons for commercial purposes such as solicitations. The request must be specific enough to reasonably identify the record requested to enable the record clerk to locate it. If a fee is to be charged for the record, payment of the fee shall accompany the request.

(c) *Obtaining records not maintained by the office to which the request is made.* (1) ASCS records are normally in the possession of the several offices and divisions which create and use them. For example, records on individual farms are maintained by the ASCS county office for the county in which the farm is located; Marketing Quota Review Committee records are maintained by the clerk of the committee (generally the county office manager) for the county in which the farm is located; program records containing national policy determinations are maintained by the appropriate division in Washington.

(2) If an ASCS record requested in accordance with paragraph (b) of this section is not maintained by the office or division to which request is made, such office or division shall give the requester the name and address of the office holding the record.

(3) If the record requested is not normally maintained by ASCS, the request shall be referred to the agency having paramount interest in the record being requested. Such agency will handle the request in accordance with its published rules and determine availability of the requested record.

(d) *Obtaining copies of requested records.* (1) If copies of directives and final decisions, determinations, and opinions are not available for purchase at the office to which request is made, such office shall obtain them for the requester. Copies of national directives and CCC Contract Disputes Board final decisions and opinions shall be obtained from the appropriate Washington division. Copies of field directives and supplements to national directives and Marketing Quota Review Committee final determinations and opinions shall be obtained from the appropriate field office.

(2) Copies of aerial photography (containing no restricted data) may be ordered from the appropriate Aerial Photography Laboratory on Form ASCS–441, Order for Aerial Photographs, available at State and county offices, Aerial Photography Division, Washington, and the Aerial Photography Laboratories.

(3) Copies of documents, forms, or other records which are reasonably identified by the requester in accordance with paragraph (b) of this section shall be reproduced by the office to which request is made or obtained by such office from the record-holding office.

§ 798.7 Fees.

Except as specified in this section fees and charges for publications and for furnishing copies and making searches of official records shall be those set forth in the fee schedule issued by the Director, Office of Plant and Operations.

(a) Directives and blank forms required by ASCS for program administration or participation are provided without cost to participants.

(b) Directives are available for inspection to persons other than program participants in the various programs administered by ASCS without cost to the requester. Fees for printed copies of national handbooks and bin site directories shall be as follows. These fees cover all national amendments to a national handbook available at the time of purchase.

(1) $2.50 each for the first copy of an ASCS handbook or bin site directory.

(2) $1 for each additional copy.

(c) The fees shown in the following table shall be charged for lists of farmers furnished by ASCS county offices. County offices shall furnish lists of committeemen or office employees without cost to the requester. Charges for lists of farmers, committeemen, or employees covering more than one county and lists which must be prepared by hand shall be negotiated by the State executive director. A minimum fee for any list for which a charge is required shall be $5.

Type of list	Charge per name with—	
	Automatic addressing machine	Hand addressing machine
	Cents	*Cents*
Complete county list with NO selection	4	8
Selected list (Requester must specify the bases of selection)	6	10
Complete list with acreage allotments posted on list by hand	10	14

(d) Charges for computer-stored data which can be produced through existing computer programs shall be on a negotiated basis. Such charges shall consist of machine, computer, personnel, and material costs. Negotiated charges shall be approved by the appropriate deputy administrator, ASCS.

§ 798.8 Appeal procedure.

(a) Any person from whom any ASCS record is withheld may file an appeal with the Administrator, ASCS (Executive Vice-President, CCC) within 15 days after the date of mailing of notice by the head of the records-holding office to the requester that the record is unavailable.

(b) The appeal shall be in writing and be signed by the appellant or his authorized representative.

(c) The Administrator or his designee shall consider the appeal, determine availability of the record, and furnish the appellant written notice of his determination stating his reasons therefor.

Effective date: July 4, 1967.

Signed at Washington, D.C., on June 30, 1967.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-7653; Filed, July 3, 1967; 8:54 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 900—GENERAL REGULATIONS

Subpart—Public Information

The provisions of this subpart are applicable to all programs and activities of the Consumer and Marketing Service. The Consumer and Marketing Service hereby establishes rules for the implementation of 5 U.S.C. 552(a)(2) and 552(a)(3). The rules are incorporated in a new Subpart—Public Information, the text of which follows:

AVAILABILITY OF PROGRAM INFORMATION, STAFF MANUALS AND INSTRUCTIONS, AND RELATED MATERIAL

Sec.
900.500 Sources of program information.
900.501 Availability of program information
900.502 Staff manuals and instructions
900.503 Index
900.504 Facilities for inspection; copies

DISCLOSURE OF IDENTIFIABLE RECORDS

900.510 Requests
900.511 Delegation of authority
900.512 Available records
900.513 Exempt records
900.514 Determinations
900.515 Appeals
900.516 Inspection and copies

AUTHORITY: The provision of this subpart issued under 5 U.S.C. 552, 559.

AVAILABILITY OF PROGRAM INFORMATION, STAFF MANUALS AND INSTRUCTIONS, AND RELATED MATERIAL

§ 900.500 Sources of program information.

A description of the central and field organization of the Consumer and Marketing Service is published in 31 F.R. 13249, October 31, 1966 and 31 F.R. 15026, November 30, 1966. Any revision or amendment will be published in the FEDERAL REGISTER as will any revision or amendment of this subpart.

§ 900.501 Availability of program information.

(a) Certain program information such as handbooks, forms, instructions, and FEDERAL REGISTER reprints (if copies are available and it has been customary to distribute such documents) will be made available free to Federal or Federal-State cooperative employees; licensed inspectors, graders, and samplers; cooperators under signed cooperative agreements; plants under inspection or grading contracts; and others with whom the Consumer and Marketing Service is doing business and who may be involved in carrying out assigned program functions. Such program information will also be indexed and available for public inspection and copying.

(b) Material which is purely informational in nature and is issued by the Consumer and Marketing Service as a public service or to provide information about Consumer and Marketing Service programs will be made available free. Such material includes market news releases, plentiful foods bulletins, and pamphlets or leaflets explaining C&MS programs.

§ 900.502 Staff manuals and instructions.

The Consumer and Marketing Service will make available for public inspection and copying its administrative staff manuals and instructions to staff affecting any member of the public except those manuals and instructions exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b).

§ 900.503 Index.

The headquarters office of each Division of the Consumer and Marketing Service will maintain and make available for public inspection and copying a current index providing identifying information for the public as to staff manuals, and instructions and other matters issued, adopted, or promulgated with respect to programs for which it has responsibility, and which are required to be made available pursuant to 5 U.S.C. 522(a)(2).

§ 900.504 Facilities for inspection; copies.

No central facilities for public inspection and copying of materials will be provided. Copies of materials listed in the index of a Division of the Consumer and Marketing Service may be inspected and copied at the headquarters office. Copies of such materials may also be obtained in person or by mail, when requested in writing, and upon payment of applicable fees prescribed by the Office of Plant and Operations, U.S. Department of Agriculture.

DISCLOSURE OF IDENTIFIABLE RECORDS

§ 900.510 Requests.

(a) Requests for records of the Consumer and Marketing Service, pursuant to 5 U.S.C. 552(a)(3), shall be made in writing to the Director of the Division responsible for the program (31 F.R. 13249, October 31, 1966, and 31 F.R. 15026, November 30, 1966), Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250. Each record sought must be identified with reasonable specificity. The Consumer and Marketing Service is under no obligation to produce records for examination which cannot be reasonably identified nor is it obligated to create records to specification in response to a request. Requests may be submitted in person or by mail. If in person, requests shall be submitted between 9 a.m. and 5:30 p.m., Monday through Friday, except holidays.

(b) Certain records of the Consumer and Marketing Service are scattered

among several hundred field offices, each field office having only the records it has generated. Requests for such material will be filled either by copying the records in each field office and consolidating the material at the headquarters office or by asking each field office to copy the records and furnish them directly, whichever method appears most expeditious to the headquarters Division involved. In such cases, the fee for searching and copying will be collected at the headquarters office. The above does not preclude persons from requesting such material in person, or in writing, directly from a field office, if it has been customary to obtain the information in this manner and the request is made during the local working hours of the office involved.

§ 900.511 Delegation of authority.

Subject to § 900.515, the Director of the Division responsible for the records is authorized to act, on behalf of the Consumer and Marketing Service, on all such requests in accordance with 5 U.S.C. 552, as implemented by this subpart.

§ 900.512 Available records.

The Consumer and Marketing Service will promptly make available all Consumer and Marketing Service records requested in accordance with § 900.510 except exempt records as described in § 900.513.

§ 900.513 Exempt records.

Exempt records of the Consumer and Marketing Service include but are not limited to the following:

(a) Matters specifically required by Executive order to be kept secret.

(b) Matters related solely to the internal personnel rules and practices of the Consumer and Marketing Service. Among such records are warehouse examiners' handbooks and other handbooks describing records of tolerances applied in laboratory examination of products and in testing for various purposes.

(c) Matters specifically exempted from disclosure by statute.

(d) Matters that are trade secrets and commercial or financial information obtained from any person and privileged or confidential. Among records of the Consumer and Marketing Service in this category are blueprints and similar records revealing individual physical or operating characteristics of meat or poultry slaughtering or other food processing plants; data concerning product formulations, packaging, labeling, methods of manufacture, and chemical additives, provided by industry in connection with the Department's registration, inspection, grading, and other regulatory and service functions; information furnished voluntarily by persons relating to their farm or business operations for use in making statistical analyses as a foundation for official estimates and reports, for use in developing inspection or other required staffing, financial or program plans, or for official purposes; inspection, grading, and classing certificates or reports and worksheets and other background material, including condemnation reports, plant sanitation records and reports and laboratory test results; fee bills and other documents relating to inspection, grading and classing work which would indicate quantity, quality, or other characteristics of an individual business, plant, or operation; information and reports obtained from individual dealers, manufacturers, associations, or others covering quantities of commodities processed, condemned, purchased, or sold during prescribed periods, or on hand at particular times, or the prices paid or received therefor; producers' referendum or other ballots filed pursuant to law, and other records developed for the conduct and final execution of referenda or the determination of producer approval, such as producer lists, handler lists, plant receipts, and utilization in the representative period, and similar records relating to marketing order referenda; information furnished pursuant to marketing agreements and orders; financial information and examination reports relating to licensees and applicants for licenses under the U.S. Warehouse Act; laboratory reports, such as pathological, residue, and bacteriological, involving individual food processing plants or establishments; data concerning individual reviews of nonfederally inspected plants using or requesting Federal Meat Grading Service; results of analyses of samples of meat and poultry products produced under State or local inspection systems, for example, specie determination and residues of pesticides.

(e) Interagency or intraagency memorandums or letters which would not be available by law to a party other than the agency in litigation with the Department. This includes, but is not limited to, communications with States concerning matching fund programs, minutes of Matching Fund Program Advisory Committee meetings, the Department Matching Fund Marketing Service Committee, and the Consumer and Marketing Service Matching Fund Working Group; State matching fund audit reports by the Office of the Inspector General, field reviews covering visits of matching fund personnel to States for the purpose of reviewing matching fund activities; documents discussing or recommending the formulation of the Departmental position in freight rate matters, and action notices to the Transportation Rates Review Group and minutes of Group meetings; information relating to policy determinations, the advance disclosure of which would give an undue advantage to some or disadvantage to others or would improperly affect a pending action; analyses and data being prepared for release prior to actual release; reports and correspondence relating to evaluations of foreign meat inspection systems; and those intra- and inter-agency communications applicable to the formulation of a Consumer and Marketing Service order, instruction, regulation, or decision.

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. This includes, but is not limited to, individual personnel and medical files and related records, including such record material on licensed persons; mailing lists in connection with registration or other regulatory or service functions or for dissemination of market news or other publications.

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than the agency. This includes, but is not limited to, charges, complaints and other processes in connection with and prior to being filed in administrative or judicial proceedings; Office of Inspector General reports of investigation and all related correspondence; reports and related correspondence of the Compliance and Evaluation Staff of the Consumer and Marketing Service; and all other investigative, inspection, and accounting reports and supporting data assembled by the Consumer and Marketing Service and pertaining to compliance with laws or regulations.

§ 900.514 Determinations.

The appropriate Division Director shall make promptly available any Consumer and Marketing Service record requested in accordance with § 900.510, unless he determines that the record is exempt under the provisions of § 900.513. If he determines that the requested record should be withheld from public inspection, he shall give prompt written notice of any such determination together with the reasons therefor.

§ 900.515 Appeals.

A denial by a Division Director of any request for a Consumer and Marketing Service record or records for which that Director is responsible may be appealed by the person who made the request to the Administrator, Consumer and Marketing Service. The appeal shall be made in writing within 15 days of the date of the Director's notice of his action. The administrator will give written notice of Consumer and Marketing Service's final determination.

§ 900.516 Inspection and copies.

A person who has requested available records shall be promptly notified that, upon payment of applicable fees, he may inspect and copy such records (or copies), and purchase copies or extracts thereof, in the office of the Director of the Division responsible for the records, on business days from 9 a.m. to 5:30 p.m. Copies of such records may also be purchased by mail. The applicable fees are prescribed by the Office of Plant and Operations, U.S. Department of Agriculture.

Effective date. The provisions of this Subpart are effective July 4, 1967.

Dated: June 29, 1967.

S. R. SMITH,
Administrator.

[F.R. Doc. 67-7619; Filed, July 3, 1967; 8:51 a.m.]

[Nectarine Reg. 1, Amdt. 2]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916), regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Nectarine Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Early Sun Grand variety of nectarines grown in California.

a. *Order.* It is, therefore, ordered that the provisions of paragraph (a)(1) of § 916.329 (Nectarine Reg. 1; 32 F.R. 7911) are hereby amended to read as follows:

§ 916.329 Nectarine Regulation 1.

(a) *Order.* (1) During the period June 29, 1967, through October 31, 1967, no handler shall handle any package or container of any variety of nectarines unless such nectarines grade at least U.S. No. 1: *Provided,* That nectarines 2 inches in diameter or smaller, or 4 x 4 size or smaller, shall not have fairly light colored, fairly smooth scars which exceed the aggregate area of a circle ⅜ inch in diameter, and nectarines larger than 2 inches in diameter, or larger than 4 x 4 size, shall not have fairly light colored, fairly smooth scars which exceed an aggregate area of a circle ½ inch in diameter: *And provided further,* That an additional tolerance of 20 percent shall be permitted for fruit that is not well formed but not badly misshapen except that for the Early Sun Grand variety of nectarines such additional tolerance shall be 100 percent instead of 20 percent.

* * * * *

b. The provisions of this amendment shall become effective June 29, 1967.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 28, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-7598; Filed, July 3, 1967; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk) Department of Agriculture

[Milk Order No. 32]

PART 1032—MILK IN SOUTHERN ILLINOIS MARKETING AREA

Order Suspending a Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southern Illinois marketing area (7 CFR Part 1032), it is hereby found and determined that:

(a) The following provision of the order does not tend to effectuate the declared policy of the Act for the month of July 1967.

(1) In § 1032.14(b)(2) the phrase "during the months of May and June and in any month for not more than 8 days of production of producer milk by such producer."

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) In this instance the procedure for issuance of notice of intention to suspend said provision and allowing time for filing views, data and arguments, is not practical in view of the time required and the need of parties in the market to take immediate action to handle milk in the manner which would be permitted by this suspension order.

(4) This suspension action requested by a handler and supported by five cooperative associations representing more than 90 percent of the producers regularly supplying the market is necessary for the efficient and orderly marketing of seasonal reserve supplies of producer milk. Without this action it would be necessary for large quantities of producer milk to be received at pool plants before being transferred to nonpool plants for manufacturing. This action will permit, for the month of July, the efficient movement of producer milk directly from farms of producers to nonpool manufacturing plants.

Therefore, good cause exists for making this order effective July 1, 1967.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of July 1967.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: July 1, 1967.

Signed at Washington, D.C., on June 29, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-7646; Filed, June 30, 1967; 8:50 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Reg.; 1966 and Subsequent Crops Wheat Supp., Amdt. 3]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Wheat Loan and Purchase Program

DETERMINATION OF QUALITY AND WAREHOUSE RECEIPTS

The regulations issued by the Commodity Credit Corporation published in 31 F.R. 9414 and 32 F.R. 7961 containing provisions for price support loans and purchases applicable to the 1966 and subsequent crops of wheat are amended as follows:

1. § 1421.2164, subparagraph (1) of paragraph (a) is amended to provide that a State committee may, on a countywide basis, authorize the determination of the class, grade, and quality of wheat for stated purposes on the basis of the class, grade, and quality stated on warehouse receipts issued by approved warehouses. The amended subparagraph reads as follows:

§ 1421.2164 Determination of quality.

(a) *Regular grading factors.* (See § 1421.2165 for protein determinations.)

(1) *Wheat stored in or delivered to approved warehouses.* The class, grade, and quality of wheat placed under a warehouse-storage loan, or stored in an approved warehouse prior to purchase by CCC, or delivered to an approved warehouse in satisfaction of a farm-storage loan or for purchase by CCC shall be determined by a licensed inspector or any grading laboratory qualified to issue official grade certificates based upon a sample which the producer and warehouseman agree to be representative thereof, except that a State Committee may, on a countywide basis, authorize the determination of the class, grade, and quality of wheat for such purposes on the basis of the class, grade, and quality stated on warehouse receipts issued by approved warehouses.

* * * * *

2. In § 1421.2167, the first sentence is amended to provide that official grade

certificates need not accompany warehouse receipts when such certificates are not required under § 1421.2164(a)(1). The amended sentence reads as follows:

§ 1421.2167 Warehouse receipts.

Except when such certificates are not required under § 1421.2164(a)(1), warehouse receipts tendered to CCC in connection with a loan or purchase must be accompanied by official inspection certificates or copies thereof and must meet the following requirements of this section:

* * * * *

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 107, 401, 63 Stat. 1051, 1064; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 29, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-7637; Filed, July 3, 1967; 8:52 a.m.]

PART 1464—TOBACCO

Subpart—Tobacco Loan Program

FLUE-CURED TOBACCO ADVANCE SCHEDULE, 1967 CROP

Set forth below is a schedule of advance rates, by grades, for the 1967 crop of types 11–14 flue-cured tobacco, under the tobacco price support loan program.

§ 1464.1777 1967 Crop—Flue-Cured Tobacco, Types 11–14, Advance Schedule.[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate	Grade	Advance rate
A1F	89.25	B6GL	45.25	C4KF	67.25
A2F	87.25	B4GF	64.25	C4KM	67.25
A1R	86.25	B5GF	60.25	C4LS	65.25
A2R	85.25	B6GF	44.25	C5LS	62.25
B1L	83.25	B4GR	49.25	C4FS	64.25
B2L	78.25	B5GR	45.25	C5FS	62.25

[1] The advance rates listed are applicable only to tied flue-cured tobacco identified on a 1967 tobacco marketing card which does not bear either the notation "No Price Support" or "Discount Variety Limited Support" and which does not, together with all other tobacco previously marketed and currently being offered for marketing on a single tobacco sales bill, exceed 110 percent of the applicable farm marketing quota. Rates for tobacco identified on a marketing card which bears the notation "Discount Variety Limited Support", which does not bear the notation "No Price Support" and which does not, together with all other tobacco previously marketed and currently being offered for marketing on a single tobacco sales bill, exceed 110 percent of the applicable farm marketing quota, are 50 percent plus twelve and one-half cents ($0.125) per hundred pounds of the advance rates listed. Rates for untied flue-cured tobacco are three dollars ($3.00) per hundred pounds less for each grade than for tied tobacco similarly identified. Tobacco is eligible for advances only if consigned by the original producer and only if produced by a cooperator.

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate	Grade	Advance rate
B3L	74.25	B6GR	37.25	X1L	78.25
B4L	71.25	B4GK	49.25	X2L	77.25
B5L	66.25	B5GK	46.25	X3L	76.25
B6L	62.25	B6GK	39.25	X4L	73.25
B1F	83.25	B4GG	37.25	X5L	67.25
B2F	78.25	B5GG	35.25	X1F	78.25
B3F	74.25	B3LS	60.25	X2F	77.25
B4F	71.25	B4LS	58.25	X3F	76.25
B5F	66.25	B5LS	54.25	X4F	73.25
B6F	62.25	B6LS	47.25	X5F	67.25
B1FR	82.25	B3FS	59.25	X3LV	67.25
B2FR	76.25	B4FS	57.25	X4LV	64.25
B3FR	72.25	B5FS	53.25	X3FV	67.25
B4FR	67.25	B6FS	47.25	X4FV	64.25
B5FR	63.25	B5RR	43.25	X4KV	54.25
B6FR	57.25	B5RG	39.25	X5KV	44.25
B5D	42.25	H1L	83.25	X4KL	61.25
B6D	36.25	H2L	79.25	X5KL	53.25
B3R	59.25	H3L	78.25	X4KF	61.25
B4R	54.25	H4L	76.25	X5KF	52.25
B5R	48.25	H5L	74.25	X3KM	65.25
B6R	41.25	H6L	70.25	X4KM	60.25
B3LV	68.25	H1F	83.25	X3LS	63.25
B4LV	63.25	H2F	79.25	X4LS	59.25
B5LV	59.25	H3F	78.25	X3FS	62.25
B3FV	68.25	H4F	76.25	X4FS	59.25
B4FV	63.25	H5F	74.25	X4G	51.25
B5FV	59.25	H6F	70.25	X5G	45.25
B4KV	54.25	H3FR	72.25	X4GK	49.25
B5KV	48.25	H4FR	69.25	P2L	71.25
B6KV	41.25	H5FR	66.25	P3L	69.25
B3K	67.25	H6FR	62.25	P4L	63.25
B4K	65.25	H3K	70.25	P5L	55.25
B5K	61.25	H4K	68.25	P2F	71.25
B6K	55.25	H5K	64.25	P3F	69.25
B3KL	56.25	H6K	58.25	P4F	62.25
B4KL	54.25	C1L	83.25	P5F	52.25
B5KL	50.25	C2L	79.25	P4G	46.25
B6KL	45.25	C3L	78.25	P5G	38.25
B3KF	56.25	C4L	77.25	N1L	37.25
B4KF	54.25	C5L	76.25	N1XL	46.25
B5KF	50.25	C1F	83.25	N1F	41.25
B6KF	44.25	C2F	79.25	N1K	47.25
B3KM	59.25	C3F	78.25	N1R	33.25
B4KM	57.25	C4F	77.25	N1GL	31.25
B5KM	53.25	C5F	76.25	N1GF	35.25
B6KM	47.25	C4LV	72.25	N1GR	30.25
B4GL	54.25	C4FV	72.25	N1GG	27.25
B5GL	51.25	C4KL	67.25		

In the Georgia-Florida belt price support will be available only on untied tobacco as in past years. In all belts except in the Georgia-Florida belt, price support for all grades of untied tobacco will be available during the first 95 hours of scheduled selling time, and price support for tied tobacco will be available for all grades during the first 95 hours of scheduled selling time as well as during the remainder of the marketing season.

Tobacco graded "W" (doubtful keeping order), "U" (unsound), N2, No-G or scrap will not be accepted. The cooperative association through which price support is made available is authorized to deduct 25 cents per hundred pounds to apply against overhead costs.

Sec. 4, 62 Stat. 1070, as amended, sec. 5, 62 Stat. 1072, secs. 101, 106, 401, 403, 63 Stat. 1051, as amended, 1054, sec. 125, 70 Stat. 198, 74 Stat. 6; 7 U.S.C. 1441, 1445, 1421, 1423, 7 U.S.C. 1813, 15 U.S.C. 714b, 714c)

Effective date: Date of filing with the Office of the Federal Register.

Signed at Washington, D.C., on June 28, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-7638; Filed, July 3, 1967; 8:52 a.m.]

Chapter XVII—Rural Electrification Administration, Department of Agriculture

PART 1701—PUBLIC INFORMATION

The Rural Electrification Administration hereby establishes rules for the implementation of 5 U.S.C. 552(a) (2) and (3). The rules are incorporated in a new Part 1701, the text of which follows:

Subpart A—Availability of Bulletins, Staff Manuals and Instructions, and Related Material

Secs.
1701.1 REA Bulletins.
1701.2 Staff manuals and instructions.
1701.3 Index.
1701.4 Facilities for inspection; copies.

Subpart B—Availability of Identifiable Records

1701.10 Requests.
1701.11 Delegation of authority.
1701.12 Available records.
1701.13 Exempt records.
1701.14 Determinations.
1701.15 Appeals.
1701.16 Inspection and copies.

AUTHORITY: The provisions of this Part 1701 issued under 5 U.S.C. 552, 559.

Subpart A—Availability of Bulletins, Staff Manuals and Instructions, and Related Material

§ 1701.1 REA Bulletins.

The Rural Electrification Administration issues from time to time REA Bulletins which implement the procedures set forth in Part 1700 and the loan and security instruments which provide for and secure REA loans. Appendix A[1] to this part identifies and briefly describes each such Bulletin currently in effect. Rea also issues REA Bulletins which furnish technical information to assist in the design, construction, operation, and maintenance of borrowers' systems. As REA Bulletins are issued, copies are mailed to all borrowers concerned and to others participating in the REA program, who may be affected. REA will make all REA Bulletins available for public inspection and copying. REA Bulletins identified in appendix A to this Part also set forth or identify related forms available for utilization by REA borrowers and others. Such forms, including forms of basic loan and security agreements, will also be made available for public inspection and copying.

§ 1701.2 Staff manuals and instructions.

REA will make available for public inspection and copying its administrative staff manuals and instructions to staff affecting any member of the public except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 552 (b).

§ 1701.3 Index.

REA will maintain and make available for public inspection and copying a current index providing identifying information for all REA Bulletins and for staff manuals and instructions made available pursuant to § 1701.2.

§ 1701.4 Facilities for inspection; copies.

Facilities for public inspection and copying of the material described in the foregoing sections will be provided in a reading area in the Office of the Director, Information Services Division, Room 4038, South Building, U.S. Department of Agriculture, Washington, D.C. Copies of

[1] Appendix A filed as part of original document.

such material may also be obtained in person or by mail. Applicable fees and charges are prescribed in regulations issued by the Director, Office of Plant and Operations, U.S. Department of Agriculture.

Subpart B—Disclosure of Identifiable Records

§ 1701.10 Requests.

Requests for REA records, pursuant to 5 U.S.C. 552(a)(3), shall (a) be made in writing to the "Director, Information Services Division, Rural Electrification Administration, South Building, Room 4038, U.S. Department of Agriculture, Washington, D.C. 20250", and (b) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail.

§ 1701.11 Delegation of authority.

Subject to § 1701.15, the Director, Information Services Division, is authorized to act, on behalf of REA, on all such requests in accordance with 5 U.S.C. 552, as implemented by this subpart.

§ 1701.12 Available records.

REA will promptly make available all REA records requested in accordance with § 1701.10 except exempt records as described in § 1701.13.

§ 1701.13 Exempt records.

Exempt records of REA include the following:

(a) Matters related solely to the internal personnel rules and practices of the agency.

(b) Matters specifically exempted from disclosure by statute.

(c) Trade secrets and commercial or financial information obtained from any person and privileged or confidential. Among REA records in this class are those which consist of or involve information submitted or obtained in connection with an application for a loan from REA, advances under such a loan or the fulfillment of obligations under the loan contracts or security instruments relating to such a loan. Examples of these REA records are loan applications, with supporting data, and records that discuss or utilize them; records which set forth or relate to specific applicants' or borrowers' power requirements, or their construction, engineering, marketing, or financial plans or forecasts; borrowers' proposed loan contracts and loan contracts with REA; borrowers' proposed contracts and contracts with others and related records; borrowers' requisitions for loan funds and related records; borrowers' bylaws and minutes of meetings; and reports of audit or investigation of borrowers' operations.

(d) Inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency. Among REA records in this class are those which consist of inter-agency or intra-agency memoranda or letters containing opinions, estimates, judgments, recommendations, or reports of internal deliberations relating to specific loan applications, loans, or borrowers, to products and services for borrowers or to program planning. Examples of such records are power supply planning analyses and loan security evaluations with respect to specific borrowers or applicants.

(e) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(f) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

§ 1701.14 Determinations.

The Director, Information Services Division, shall make promptly available any REA record, requested in accordance with § 1701.10, unless he determines that it is an exempt record. The Director shall give prompt written notice of any such determination, together with the reasons therefor.

§ 1701.15 Appeals.

A denial by the Director, Information Services Division, of any request for an REA record or records may be appealed by the person who made the request to the Administrator of the Rural Electrification Administration. The appeal shall be made in writing within 15 days of the date of the Director's notice of his action. The Administrator will give written notice of REA's final determination within 15 days of the receipt of the appeal.

§ 1701.16 Inspection and copies.

A person who has requested available records shall be promptly notified that, upon payment of applicable fees and charges, he may inspect and copy such records (or copies), and purchase copies or extracts thereof, in the office of the Director, Information Services Division, on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. The applicable fees and charges are prescribed in regulations issued by the Director, Office of Plant and Operations, U.S. Department of Agriculture.

Effective date: The provisions of this Part 1701 are effective on July 4, 1967.

NORMAN M. CLAPP,
Administrator of the Rural Electrification Administration.

JUNE 28, 1967.

[F.R. Doc. 67-7600; Filed, July 3, 1967; 8:45 a.m.]

Chapter XVIII—Farmers Home Administration, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS

PART 1813—PUBLIC INFORMATION

Chapter XVIII, Title 7, Code of Federal Regulations (31 F.R. 14109), is amended to add a new part prescribing rules for the implementation of 5 U.S.C. 552(a)(2) and 552(a)(3). The new part reads as follows:

Subpart A—Availability of Staff Manuals, Forms and Related Material

Sec.
1813.1 Staff manuals and forms.
1813.2 Descriptive publications.
1813.3 Indexes.
1813.4 Facilities for inspection and copying.

Subpart B—Availability of Identifiable Records

Sec.
1813.10 Requests.
1813.11 Delegation of authority.
1813.12 Available records.
1813.13 Exempt records.
1813.14 Determinations.
1813.15 Appeals.
1813.16 Inspection and copies.

AUTHORITY: The provisions of this Part 1813 issued under 5 U.S.C. 552, 559.

Subpart A—Availability of Staff Manuals, Forms and Related Material

§ 1813.1 Staff manuals and forms.

The Farmers Home Administration (FHA) issues from time to time FHA Instructions, Administration Letters, Bulletins and Procedure Notices (all of which are herein referred to as "staff manuals"), which prescribe the rules and regulations, including policies, procedures and delegations of authority, adopted by FHA in connection with its programs and activities. FHA rules and regulations are set forth in this Chapter XVIII of this title. FHA also issues forms for utilization in its various programs and activities and utilizes forms of other agencies applicable thereto. FHA will make available for public inspection and copying all staff manuals and forms affecting any member of the public.

§ 1813.2 Descriptive publications.

FHA also issues descriptive pamphlets and other materials, including press, radio and television releases, describing its various programs and activities. These descriptive materials are available for public inspection and copying.

§ 1813.3 Indexes.

FHA maintains and will make available for public inspection and copying current indexes providing identifying information for all staff manuals, forms and descriptive materials made available pursuant to §§ 1813.1 and 1813.2.

§ 1813.4 Facilities for inspection and copying.

Facilities for inspection and copying by the public of the materials described in §§ 1813.1, 1813.2, and 1813.3 will be provided, with certain exceptions stated in the next sentence, in the FHA national office (herein called "national office") or in any FHA state office (herein called "State office") or in any FHA county office (herein called "county office"). Certain staff manual items and forms peculiar to particular areas are available for inspection and copying only in the State offices and county offices located in the affected area, or in the national office. In the national office, facilities for inspection and copying by the public will be provided by the Director, Business Services Division, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. In each State office and county office, facilities for inspection and copying by the public will be provided by the State Director or County Supervisor, respectively. State offices are generally located in State capitol cities. County offices are generally located in the same town as the county courthouse; if not, the State office, the Extension Service County Agent or the head of any other U.S. Department of Agriculture local

office, can advise members of the public of the location of the local county office. Also, the local county office can advise as to the location of the State office. Copies of the foregoing material also may be obtained in person or by mail. Fees, if any, for such copies are prescribed by the Director, Office of Plant and Operations, U.S. Department of Agriculture. Fees, if any, for specialized materials not prescribed by the Office of Plant and Operations will be established by FHA on an individual case basis.

Subpart B—Availability of Identifiable Records

§ 1813.10 Requests.

Requests for FHA records, pursuant to 5 U.S.C. 552(a)(3), shall (a) be made in writing (1) with respect to the national office, to the "Director, Business Services Division, Farmers Home Administration, South Building, U.S. Department of Agriculture, Washington, D.C. 20250," (2) with respect to the State offices, to the "State Director, Farmers Home Administration, U.S. Department of Agriculture" at the address of the applicable State office, and (3) with respect to the county offices, to the "County Supervisor, Farmers Home Administration, U.S. Department of Agriculture" at the address of the applicable county office, and (b) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail.

§ 1813.11 Delegation of authority.

Subject to § 1813.15, the Director, Business Services Division, each State Director, and each County Supervisor is authorized to act within his respective jurisdiction, on behalf of FHA, on all such requests in accordance with 5 U.S.C. 552, as implemented by this subpart.

§ 1813.12 Available records.

FHA will promptly make available all FHA records requested in accordance with § 1813.10 except exempt records described in § 1813.13.

§ 1813.13 Exempt records.

Exempt records of FHA include the following:

(a) Matters that are specifically required by Executive order to be kept secret.

(b) Matters that are related solely to the internal personnel rules and practices of the agency.

(c) Matters that are specifically exempted from disclosure by statute.

(d) Matters that are trade secrets and commercial or financial information obtained from a person and privileged or confidential. Among FHA records in this class are those which consist of or involve information submitted or obtained in connection with an application for a loan or grant from FHA, advances under such a loan or grant or the fulfillment of obligations under the loan or security instruments or grant agreements relating to such loan or grant. Examples of these FHA records are loan or grant applications, with supporting data, and records that discuss or utilize them; records which set forth or relate to specific applicants' or borrowers' operating requirements, such as farm and home plans and proposed operating plans and budgets; borrowers' promissory notes or bonds; borrowers' loan or grant resolutions; borrowers' articles of association, bylaws and minutes of meetings; and reports of running records of inspection or investigation of borrowers' operations.

(e) Matters that are intra-agency and interagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the FHA. Among FHA records in this class are those which consist of intra-agency and interagency memorandums or letters containing opinions, appraisals, estimates, recommendations, or reports of internal deliberations relating to specific loan applications, loans, grants, or borrowers, or to FHA negotiations or contracts with private parties or other agencies. Examples of such records are debt settlement proposals and progress reports relating to specific borrowers, appraisal reports, and instructions to staff with respect to bidding and contract negotiations.

(f) Matters that are personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(g) Matters that are investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency. Among FHA records in this class are investigatory files compiled to determine compliance with contractual obligations and program requirements.

§ 1813.14 Determinations.

The Director, Business Services Division, each State Director and each County Supervisor shall make promptly available any FHA record requested at his headquarters office in accordance with § 1813.10, unless he determines that it is an exempt record. The Director, State Director or County Supervisor shall give prompt written notice of any such determination, together with the reasons therefor.

§ 1813.15 Appeals.

A denial by the Director, Business Services Division, or by any State Director or County Supervisor, of any request for an FHA record or records may be appealed by the person who made the request to the Administrator of the Farmers Home Administration, whose address is South Building, U.S. Department of Agriculture, Washington, D.C. 20250. The appeal shall be made in writing within 30 days of the date of the notice of denial. The Administrator will give written notice of FHA's final determination.

§ 1813.16 Inspection and copies.

A person who has requested available records shall be promptly notified that, upon payment of any applicable fees, he may inspect and copy such records (or copies), and purchase copies or extracts thereof, on business days from 9:30 a.m. to 4 p.m. in the office where the request was made, or if the records requested are not located at such office, at such other place as may be specified in such notification. Copies of such records may also be purchased by mail. Fees, if any, are prescribed by the Director, Plant and Operations, U.S. Department of Agriculture. Fees, if any, for records not prescribed by the Office of Plant and Operations will be established by FHA on an individual case basis.

Effective date. The provisions of this Part 1813 are effective on July 4, 1967.

HOWARD BERTSCH,
Administrator, Farmers Home Administration.

JUNE 29, 1967.

[F.R. Doc. 67-7678; Filed July 3, 1967; 8:54 a.m.]

Chapter XXI—International Agricultural Development Service, Department of Agriculture

PART 2101—PUBLIC INFORMATION

The International Agricultural Development Service hereby establishes rules for the implementation of 5 U.S.C. 552-(a)(2) and (3). The rules are incorporated in a new Part 2101, the text of which follows:

Subpart A—Availability of Reports, Staff Manuals and Instructions, and Related Material

Secs.
2101.1 Reports and informational material.
2101.2 Staff manuals and instructions.
2101.3 Index.
2101.4 Facilities for inspection; copies.

Subpart B—Availability of Identifiable Records

2101.5 Requests.
2101.6 Delegation of authority.
2101.7 Available records.
2101.8 Exempt records.
2101.9 Appeals.
2101.10 Inspection and copies.

AUTHORITY: The provisions of this Part 2101 issued under 5 U.S.C. 552, 559.

Subpart A—Availability of Reports, Staff Manuals and Instructions, and Related Material

§ 2101.1 Reports and informational material.

The International Agricultural Development Service, hereinafter referred to as "IADS," issues from time to time reports and other informational material concerning the foreign technical assistance and training programs for which it has responsibilities. The material includes reports on specific activities carried out in foreign countries for and in cooperation with the Agency for International Development. As such reports and material are issued, copies will be mailed to all interested persons who may be affected. IADS will make all such issued reports and material available for public inspection and copying.

§ 2101.2 Staff manuals and instructions.

IADS will make available for public inspection and copying its administrative staff manuals and instructions to staff affecting any member of the public except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 522(b).

§ 2101.3 Index.

IADS will maintain and make available for public inspection and copying a current index providing identifying information on all IADS reports and staff manuals and instructions made available pursuant to § 2101.2.

§ 2101.4 Facilities for inspection; copies.

Facilities for public inspection and copying of the material described in the foregoing sections will be provided in a reading area in the office of the Information Officer, IADS, South Building, U.S. Department of Agriculture, Washington, D.C. Copies of such material may also be obtained in person or by mail. Applicable fees are prescribed by the Director, Office of Plant and Operations, U.S. Department of Agriculture.

Subpart B—Disclosure of Identifiable Records

§ 2101.5 Requests.

Requests for IADS records pursuant to 5 U.S.C. 552(a)(3) shall (a) be made to the Information Officer, IADS, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, and (b) identify each record sought with reasonable specificity. The Information Officer, IADS, may require that the request be in writing. Requests for records may be filed in person or by mail.

§ 2101.6 Delegation of authority.

Subject to the provisions of § 2101.9, the Information Officer is authorized to act on behalf of IADS on all requests for records in accordance with 5 U.S.C. 552, as implemented by this subpart and the regulations of the Secretary of Agriculture, Part I of this title, as amended.

§ 2101.7 Available records.

The Information Officer shall promptly make available all IADS records requested in accordance with § 2101.5 unless he determines that it is an exempt record as described in § 2101.8. The Information Officer shall promptly give written notice of any such determination, together with the reasons therefor.

§ 2101.8 Exempt Records.

Exempt records of IADS include the following:

(a) Matters that are specifically required by Executive Order to be kept secret.

(b) Matters that are related solely to the internal personnel rules and practices of IADS.

(c) Matters that are specifically exempted from disclosure by statute.

(d) Matters that are trade secrets and commercial or financial information obtained from a person and privileged or confidential.

(e) Matters that are intra-agency and interagency memoranda or letters which would not be available by law to a party other than an agency of the Government in litigation with IADS.

(f) Matters that are personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(g) Matters that are investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency of the Government.

§ 2101.9 Appeals.

A denial by the Information Officer of any request for an IADS record may be appealed by the person who made the request to the Administrator, IADS. The appeal shall be made in writing within 15 days after the date of mailing of the Information Officer's notice of determination. The Administrator will give written notice of IADS's final determination. As provided in the regulations of the Secretary of Agriculture governing the availability of official records, Part I of this title, as amended, except where disclosure is prohibited by statute, Executive order, or the regulations of other Government agencies, the Administrator may, in individual cases, make records exempt from disclosure available if he determines that disclosure will not adversely affect the national interest or constitute an unwarranted invasion of individual privacy.

§ 2101.10 Inspection and copies.

A person who has requested available records shall be promptly notified that upon payment of applicable fees, he may inspect and copy such records, and purchase copies or extracts thereof, in the office of the Information Officer, on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. Applicable fees are prescribed by the Director, Office of Plant and Operations, U.S. Department of Agriculture.

Effective date. This Part 2101 shall become effective on July 4, 1967.

Issued at Washington, D.C., this 30th day of June 1967.

LESTER R. BROWN,
Administrator, International Agricultural Development Service.

[F.R. Doc. 67-7720; Filed, July 3, 1967; 8:55 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

FREEDOM OF INFORMATION

Miscellaneous Amendments

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER on May 3, 1967 (32 F.R. 6781), pursuant to section 553 of Title 5 of the United States Code and in which there were set out the terms of proposed amendments implementing the Freedom of Information Act.

Representations which were received concerning the proposed rules of May 3, 1967, have been considered and those proposed rules have been amended in the following respects:

Section 100.4(b) has been amended by realigning the jurisdiction of Districts Nos. 26 and 28; § 103.7 has been amended to reflect a new fee schedule; § 103.8 has been amended by redesignating existing paragraphs (e) and (f) as paragraphs (b) and (c), proposed paragraphs (c) and (d) having been consolidated in new paragraph (a); the first sentence of § 103.9(b) has been clarified; § 103.9(d) has been clarified; § 103.9(f) has been deleted being deemed unnecessary; § 103.10 has been amended to set forth the availablity of records, the record requests which may be approved by Service officers and sets forth the places where and the manner in which such requests are to be made; in addition the reserved authority of the Attorney General has been set forth; § 103.11 has been deleted; with regard to the proposed amendment to § 204.2(e)(2), pertaining to preadoption requirements in orphan cases, that matter is still under consideration; § 212.1(h) has been amended by deleting "San Ysidro" and inserting "San Diego Border Station"; § 212.8(c)(5)(ii) has been amended to conform with a recent procedural change of the Department of Labor relating to multiple certifications; § 235.10 has been amended to include "San Francisco, Calif."; the first sentence of § 236.2(a) has been clarified and a sentence has been added thereto to conform to the amendment to § 242.16(a); § 238.3 had been amended by the addition of several signatory lines; and § 238.4 has been amended by the addition of several transportation lines.

The amendatory regulations as set out below are hereby adopted.

The basis and purpose of the above-prescribed regulations are to implement the Freedom of Information Act; this order shall become effective on July 4, 1967, the effective date of that Act.

Dated: June 29, 1967.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

Part 100 is added to read as follows:

PART 100—STATEMENT OF ORGANIZATION

Sec.
100.1 Introduction.
100.2 Organization and delegations.
100.3 Places where, and methods whereby, information may be secured or submittals or requests made.
100.4 Field service.
100.5 Regulations.
100.6 Rule making.

AUTHORITY: The provisions of this Part 100 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103.

§ 100.1 Introduction.

The following sections describe the organization of the Immigration and Naturalization Service, including statements of delegations of final authority, indicate the established places at which,

and methods whereby, the public may secure information, direct attention to the regulations relating to the general course and method by which its functions are channeled and determined. Part 103 of this chapter sets forth the procedures governing the availability of Service opinions, orders, and records.

§ 100.2 Organization and delegations.

The Attorney General has delegated to the Commissioner, the principal officer of the Immigration and Naturalization Service, authority to direct the administration of the Service and enforce the Act and all other laws relating to immigration and naturalization, except the authority delegated to the Board of Immigration Appeals. The Commissioner has delegated his authority to the following-described officers of the Service, within their respective operational areas of activity: Associate Commissioner, Operations; Associate Commissioner, Management; Deputy Associate Commissioner, Domestic Control; Deputy Associate Commissioner, Travel Control; Deputy Associate Commissioner, Security; Deputy Associate Commissioner, Administrative Services; Assistant Commissioner, Investigations; Assistant Commissioner, Enforcement; Assistant Commissioner, Examinations; Assistant Commissioner, Special Projects; Assistant Commissioner, Field Inspection and Security; Assistant Commissioner, Naturalization; Assistant Commissioner, Administration; Assistant Commissioner, Detention and Deportation; General Counsel; Chief Special Inquiry Officer; regional commissioner; district directors; officers in charge; immigration officers, and special inquiry officers.

§ 100.3 Places where, and methods whereby, information may be secured or submittals or requests made.

Any person desiring information relative to a matter handled by the Immigration and Naturalization Service, or any person desiring to make a submittal or request in connection with such a matter should communicate either orally or in writing with a district headquarters office or suboffice of the Service. If the office receiving the communication does not have jurisdiction to handle the matter, the communication, if written, will be forwarded to the proper office of the Service or, if oral, the person will be advised how to proceed. When the submittal or request consists of a formal application for one of the documents, privileges, or other benefits provided for in the laws administered by the Service or the regulations implementing those laws, the instructions on the form as to preparation and place of submission should be followed. In such cases, the provisions of this chapter dealing with the particular type of application may be consulted for regulatory provisions.

§ 100.4 Field service.

The territory within which officials of the Immigration and Naturalization Service are located is divided into regions, districts, subоffices, and Border Patrol sectors as follows:

(a) *Regional Offices.* The Northeast Regional Office, located in Burlington, Vermont, has jurisdiction over districts 1, 2, 3, 7, 21, 22, and 23 and Border Patrol sectors 1, 2, 3, and 4. The Southeast Regional Office, located in Richmond, Va., has jurisdiction over districts 4, 5, 6, 24, 25, 26, 27, and 28 and Border Patrol sectors 21 and 22. The Northwest Regional Office, located in St. Paul, Minn., has jurisdiction over districts 8, 9, 10, 11, 12, 29, 30, 31, and 32 and Border Patrol sectors 5, 6, 7, 8, and 9. The Southwest Regional Office, located in San Pedro, Calif., has jurisdiction over districts 13, 14, 15, 16, 17, 18, 19, and 36 and Border Patrol sectors 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.

(b) *District Offices.* The following districts, which are designated by numbers, have fixed headquarters and are divided as follows:

1. *St. Albans, Vt.* The district office in St. Albans, Vt., has jurisdiction over the State of Vermont; also, over the U.S. immigration office located in the Province of Quebec, Canada.

2. *Boston, Mass.* The district office in Boston, Mass., has jurisdiction over the States of New Hampshire, Massachusetts, and Rhode Island.

3. *New York City, N.Y.* The district office in New York City, N.Y., has jurisdiction over the following counties in the State of New York: Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester; and for primary inspection purposes only, the following counties in the State of New Jersey: Bergen, Essex, Hudson, Middlesex, and Union; also, over the U.S. immigration office located in Hamilton, Bermuda.

4. *Philadelphia, Pa.* The district office in Philadelphia, Pa., has jurisdiction over the States of Pennsylvania, Delaware, and West Virginia.

5. *Baltimore, Md.* The district office in Baltimore, Md., has jurisdiction over the State of Maryland.

6. *Miami, Fla.* The district office in Miami, Fla., has jurisdiction over the State of Florida, Cuba, the Caribbean Islands, and South America; also, over the U.S. immigration office located in Nassau, Bahamas.

7. *Buffalo, N.Y.* The district office in Buffalo, N.Y., has jurisdiction over the State of New York except that part within the jurisdiction of District No. 3; also, over the U.S. immigration offices located in the Province of Ontario, Canada.

8. *Detroit, Mich.* The district office in Detroit, Mich., has jurisdiction over the State of Michigan.

9. *Chicago, Ill.* The district office in Chicago, Ill., has jurisdiction over the States of Illinois, Indiana, and Wisconsin.

10. *St. Paul, Minn.* The district office in St. Paul, Minn., has jurisdiction over the States of Minnesota, North Dakota, and South Dakota; also, over the U.S. immigration office in the Province of Manitoba, Canada.

11. *Kansas City, Mo.* The district office in Kansas City, Mo., has jurisdiction over the States of Kansas and Missouri.

12. *Seattle, Wash.* The district office in Seattle Wash., has jurisdiction over the State of Washington; also, over the U.S. immigration offices located in the Province of British Columbia, Canada.

13. *San Francisco, Calif.* The district office in San Francisco, Calif., has jurisdiction over the State of Nevada and over the following counties in the State of California: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

14. *San Antonio, Tex.* The district office in San Antonio, Texas, has jurisdiction over the State of Oklahoma and the following counties in the State of Texas: Anderson, Andrews, Archer, Armstrong, Atascosa, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Bowie, Brazos, Brisco, Brooks, Brown, Burleson, Burnet, Caldwell, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crockett, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, De Witt, Dickens, Dimmit, Donley, Duval, Eastland, Edwards, Ellis, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Franklin, Freestone, Frio, Gaines, Garza, Gillespie, Glasscock, Goliad, Gonzales, Gray, Grayson, Gregg, Guadalupe, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hays, Hemphill, Henderson, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hunt, Hutchinson, Irion, Jack, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kent, Kerr, Kimble, King, Kinney, Knox, Lamar, Lamb, Lampasas, La Salle, Lavaca, Lee, Leon, Limestone, Lipscomb, Live Oak, Llano, Lubbock, Lynn, Marion, Martin, Mason, Maverick, McCulloch, McLennan, McMullen, Medina, Menard, Milam, Mills, Mitchell, Montague, Moore, Morris, Motley, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Potter, Rains, Randall, Real, Red River, Reagan, Roberts, Robertson, Rockwall, Runnels, Rusk, San Saba, Schleicher, Scurry, Shackelford, Sherman, Smith, Somervell, Starr, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Travis, Upshur, Uvalde, Val Verde, Van Zandt, Webb, Wheeler, Wichita, Wilbarger, Williamson, Wilson, Wise, Wood, Yoakum, Young, Zapata, and Zavala.

15. *El Paso, Tex.* The district office in El Paso, Tex., has jurisdiction over the State of New Mexico, and the following counties in Texas: Brewster, Crane, Culberson, Ector, El Paso, Hudspeth, Jeff Davis, Loving, Midland, Pecos, Presidio, Reeves, Terrell, Upton, Ward, and Winkler.

16. *Los Angeles, Calif.* The district office in Los Angeles, Calif., has jurisdiction over the following counties in the State of California: Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.

17. *Honolulu, Hawaii.* The district office in Honolulu, Hawaii, has jurisdiction over the State of Hawaii and Guam, Mariana Islands.

18. *Phoenix, Ariz.* The district office in Phoenix, Ariz., has jurisdiction over the State of Arizona.

19. *Denver, Colo.* The district office in Denver, Colo., has jurisdiction over the States of Colorado, Utah, and Wyoming.

21. *Newark, N.J.* The district office in Newark, N.J., has jurisdiction over the State of New Jersey (except that for primary inspection purposes only the district office in New York City, N.Y., has jurisdiction over the counties of Bergen, Essex, Hudson, Middlesex, and Union).

22. *Portland, Maine.* The district office in Portland, Maine, has jurisdiction over the State of Maine.

23. *Hartford, Conn.* The district office in Hartford, Conn., has jurisdiction over the State of Connecticut.

24. *Cleveland, Ohio.* The district office in Cleveland, Ohio, has jurisdiction over the States of Ohio and Kentucky.

25. *Washington, D.C.* The district office in Washington, D.C., has jurisdiction over the District of Columbia, and the States of Virginia and North Carolina.

26. *Atlanta, Ga.* The district office in Atlanta, Ga., has jurisdiction over the States of Georgia, South Carolina, Alabama, Tennessee, Arkansas, and the following counties in the State of Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Granada, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Oktibbaha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, and Yalobusha.

27. *San Juan, P.R.* The district office in San Juan, P.R., has jurisdiction over the Commonwealth of Puerto Rico; also, over the Virgin Islands of the United States.

28. *New Orleans, La.* The district office in New Orleans, La., has jurisdiction over the State of Louisiana and the following counties in the State of Mississippi: Adams, Amite, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Hinds, Holmes, Issaquena, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lamar, Lauderdale, Lawrence, Leake, Lincoln, Madison, Marion, Neshoba, Newton, Noxubee, Pearl River, Perry, Pike, Rankin, Scott, Sharkey, Simpson, Smith, Stone, Walthall, Warren, Wayne, Wilkinson, and Yazoo.

29. *Omaha, Nebr.* The district office in Omaha, Nebr., has jurisdiction over the States of Iowa and Nebraska.

30. *Helena, Mont.* The district office in Helena, Mont., has jurisdiction over the States of Montana and Idaho.

31. *Portland, Oreg.* The district office in Portland, Oreg., has jurisdiction over the State of Oregon.

32. *Anchorage, Alaska.* The district office in Anchorage, Alaska, has jurisdiction over the State of Alaska.

33. *Manila, Philippines.* The district office in Manila has jurisdiction over the Philippines, all of continental Asia lying to the east of the western borders of Afghanistan and Pakistan, Japan, Korea, Australia, New Zealand, and all other countries in the Pacific areas.

34. *Frankfurt, Germany.* The district office in Frankfurt, Germany, has jurisdiction over France, Germany, Benelux, Austria, Hungary, Poland, Bulgaria, Yugoslavia, Rumania, Czechoslovakia, Ireland, Norway, Sweden, Finland, United Kingdom of Great Britain and Northern Ireland, Iceland, Switzerland, Albania, and Union of Soviet Socialist Republics.

35. *Mexico City, Mexico.* The district office in Mexico City has jurisdiction over Mexico and Central America.

36. *Port Isabel, Tex.* The district office in Port Isabel, Tex., has jurisdiction over the following counties in Texas: Angelina, Aransas, Austin, Brazoria, Calhoun, Cameron, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Jackson, Jasper, Jefferson, Kenedy, Kleberg, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Nueces, Orange, Polk, Refugio, Sabine, San Augustine, San Jacinto, San Patricio, Shelby, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, and Willacy.

37. *Rome, Italy.* The district office in Rome, Italy, has jurisdiction over Spain, Portugal (including insular possessions in the Atlantic), Italy, Malta, Greece, Turkey, Cyprus, Syria, Lebanon, Israel, Jordan, Iraq, Iran, Kuwait, Saudi Arabia, Yemen, Aden, and Africa.

(c) *Suboffices.* The following offices, in addition to the facilities maintained at Class A ports of entry listed in subparagraph (2) of this paragraph, indicated by asterisk, are designated as suboffices:

(1) *Interior locations.*

Albany, N.Y.
Albuquerque, N. Mex.
Boise, Idaho.
Cincinnati, Ohio.
Dallas, Tex.
Fairbanks, Alaska.
Fresno, Calif.
Memphis, Tenn.
Pittsburgh, Pa.
Reno, Nev.
Sacramento, Calif.
Salt Lake City, Utah.
St. Louis, Mo.
Spokane, Wash.
Syracuse, N.Y.
Tucson, Ariz.

(2) *Ports of entry for aliens arriving by vessel or by land transportation.* Subject to the limitations prescribed in this subparagraph, the following places are hereby designated as ports of entry for aliens arriving by any means of travel other than aircraft. The designation of such a port of entry may be withdrawn whenever, in the judgment of the Commissioner, such action is warranted. The ports are listed according to location by districts and are designated either Class A, Class B, or Class C. Class A means that the port is a designated port of entry for all aliens. Class B means that the port is a designated port of entry for aliens who at the time of applying for admission are lawfully in possession of valid resident aliens' border-crossing identification cards or valid nonresident aliens' border-crossing identification cards or are admissible without documents under the documentary waivers contained in Part 212 of this chapter. Class C means that the port is a designated port of entry only for aliens who are arriving in the United States as crewmen as that term is defined in section 101(a)(10) of the Act with respect to vessels.

DISTRICT NO. 1—ST. ALBANS, VT.

CLASS A

*Alburg, Vt.
*Alburg Springs, Vt.
*Beebe Plain, Vt.
*Beecher Falls, Vt.
*Canaan, Vt.
*Derby Line, Vt.
*East Richford, Vt.
*Highgate Springs, Vt.
*Newport, Vt.
*North Troy, Vt.
*Norton, Vt.
*Richford, Vt.
St. Albans, Vt.
*West Berkshire, Vt.

CLASS B

Morses Line, Vt.

DISTRICT NO. 2—BOSTON, MASS.

CLASS A

Boston, Mass. (the port of Boston includes, among others, the port facilities at Beverly, Braintree, Chelsea, Everett, Hingham, Lynn, Manchester, Marblehead, Milton, Quincy, Revere, Salem, Saugus, and Weymouth, Mass.).
Gloucester, Mass.
Pittsburg, N.H.
*Providence, R.I. (the port of Providence includes, among others, the port facilities at Davisville, Hillsgrove, Melville, Newport, Portsmouth, Quonset Point, and Tiverton, R.I.; and at Fall River and Somerset, Mass.).

CLASS C

New Bedford, Mass.
Newburyport, Mass.
Plymouth, Mass.
Provincetown, Mass.
Woods Hole, Mass.
Portsmouth, N.H.

DISTRICT NO. 3—NEW YORK, N.Y.

CLASS A

New York, N.Y. (the port of New York includes, among others, the port facilities at Bayonne, Carteret, Edgewater, Elizabeth, Hoboken, Jersey City, Linden, Perth Amboy, Port Newark, Sewaren, and Weehawken, N.J.; and at Poughkeepsie and Yonkers, N.Y.).

DISTRICT NO. 4—PHILADELPHIA, PA.

CLASS A

Erie, Pa.
Philadelphia, Pa. (the port of Philadelphia includes, among others, the port facilities at Delaware City, Lewes, New Castle, and Wilmington, Del.; at Artificial Island, Billingsport, Camden, Deepwater Point, Fisher's Point, Gibbstown, Gloucester City, Paulsboro, and Trenton, N.J.; and at Chester, Essington, Fort Mifflin, Marcus Hook, and Morrisville, Pa.).

DISTRICT NO. 5—BALTIMORE, MD.

CLASS A

Baltimore, Md.

CLASS C

Piney Point, Md.
Salisbury, Md.

DISTRICT NO. 6—MIAMI, FLA.

CLASS A

Bocagrande, Fla.
Fernandina, Fla.
Fort Pierce, Fla.
*Jacksonville, Fla.
*Key West, Fla.
Miami, Fla.
Panama City, Fla.
Pensacola, Fla.
*Port Everglades, Fla. (Fort Lauderdale)
St. Augustine, Fla.
*Tampa, Fla.
*West Palm Beach, Fla.

CLASS C

Port St. Joe, Fla.
St. Petersburg, Fla.

DISTRICT NO. 7—BUFFALO, N.Y.

CLASS A

Alexandria Bay, N.Y.
Buffalo, N.Y.
Cape Vincent, N.Y.
*Champlain, N.Y.
*Chateaugay, N.Y.
Clayton, N.Y.
*Fort Covington, N.Y.
Lewiston, N.Y.
*Massena, N.Y.
*Mooers, N.Y.
Morristown, N.Y.
*Niagara Falls, N.Y.
*Ogdensburg, N.Y.
Oswego, N.Y.
Rochester, N.Y.
*Rouses Point, N.Y.
*Thousand Islands Bridge, N.Y.
*Trout River, N.Y.
Youngstown, N.Y.

CLASS B

Cannons Corners, N.Y.
Churubusco, N.Y.
Hogansburg, N.Y.
Jamison's Line, N.Y.
Waddington, N.Y.

CLASS C

Albany, N.Y.
Sodus Point, N.Y.

DISTRICT NO. 8—DETROIT, MICH.

CLASS A

*Algonac, Mich.
Detroit, Mich.
Ecorse, Mich. (May 15–Oct. 15).
Grosse Isle Yacht Club, Grosse Isle, Mich. (May 15–Oct 15).
Isle Royale, Mich.
Jefferson Beach Marina, Jefferson Beach, St. Clair Shores, Mich. (May 15–Oct. 15).
Kean's Detroit Yacht Harbor, Detroit, Mich. (May 15–Oct. 15).
*Marine City, Mich.
Marysville, Mich.
*Port Huron, Mich.
*Roberts Landing, Mich.
*St. Clair, Mich.
*Sault Ste. Marie, Mich.

CLASS B

Alpena, Mich.
Detour, Mich.
Mackinac Island, Mich.
Rogers City, Mich.

CLASS C

Alpena, Mich.
Baraga, Mich.
Bay City, Mich.
Cheboygan, Mich.
Detour, Mich.
Escanaba, Mich.
Grand Haven, Mich.
Holland, Mich.
Houghton, Mich.
Ludington, Mich.
Mackinac Island, Mich.
Manistee, Mich.
Marquette, Mich.
Menominee, Mich.
Monroe, Mich.
Munising, Mich.
Muskegon, Mich.
Port Dolomite, Mich.
Port Inland, Mich.
Rogers City (Calcite), Mich.
Saginaw, Mich.
South Haven, Mich.

DISTRICT NO. 9—CHICAGO, ILL.

CLASS A

Chicago, Ill.
*Green Bay, Wis.
*Hammond, Ind.
*Milwaukee, Wis.

CLASS C

East Chicago, Ind.
Gary, Ind.
Michigan City, Ind.
Algoma, Wis.
Ashland, Wis.
Kenosha, Wis.
Kewaunee, Wis.
Manitowoc, Wis.
Marinette, Wis.
Port Washington, Wis.
Racine, Wis.
Sheboygan, Wis.
Sturgeon Bay, Wis.
Washburn, Wis.

DISTRICT NO. 10—ST. PAUL, MINN.

CLASS A

*Baudette, Minn.
*Duluth, Minn. (the port of Duluth includes, among others, the port facilities of Superior, Wis.).
*Ely, Minn.
*Grand Portage, Minn.
*International Falls, Minn.
*Lancaster, Minn.
*Noyes, Minn.
*Pine Creek, Minn.
Ranier, Minn.
*Roseau, Minn.
*Warroad, Minn.
*Ambrose, N. Dak.
*Antler, N. Dak.
*Carbury, N. Dak.
*Dunseith, N. Dak.
*Fortuna, N. Dak.
*Hannah, N. Dak.
*Hansboro, N. Dak.
*Maida, N. Dak.
*Neche, N. Dak.
*Noonan, N. Dak.
*Northgate, N. Dak.
Pembina, N. Dak.
*Portal, N. Dak.
*St. John, N. Dak.
*Sarles, N. Dak.
*Sherwood, N. Dak.
*Walhalla, N. Dak.
*Westhope, N. Dak.

CLASS B

Crane Lake, Minn.
Indus, Minn.
Oak Island, Minn.

CLASS C

Grand Marais, Minn.
Silver Bay, Minn.
Taconite Harbor, Minn.
Two Harbors, Minn.

DISTRICT NO. 12—SEATTLE, WASH.

CLASS A

*Aberdeen, Wash. (the port of Aberdeen includes, among others, the port facilities at South Bend and Raymond, Wash.).
*Anacortes, Wash.
*Bellingham, Wash.
*Blaine, Wash.
*Boundary, Wash.
*Danville, Wash.
Ferry, Wash.
Friday Harbor, Wash. (the port of Friday Harbor includes, among others, the port facilities at Roche Harbor, Wash.).
*Frontier, Wash.
*Laurier, Wash.
*Lynden, Wash.
*Metaline Falls, Wash.
Neah Bay, Wash.
Olympia, Wash.
*Oroville, Wash.
*Point Roberts, Wash.
*Port Angeles, Wash.
Port Townsend, Wash.
Seattle, Wash. (the port of Seattle includes, among others, the port facilities at Bangor, Blake Island, Bremerton, Eagle Harbor, Edmonds, Everett, Holmes Harbor, Houghton, Kennydale, Keyport, Kingston, Manchester, Mukilteo, Orchard Point, Point Wells, Port Gamble, Port Ludlow, Port Orchard, Poulsbo, Shuffleton, and Winslow, Wash.).
*Sumas, Wash.
*Tacoma, Wash. (the port of Tacoma includes, among others, the port facilities at Dupont, Wash.).

CLASS B

Nighthawk, Wash.

DISTRICT NO. 13—SAN FRANCISCO, CALIF.

CLASS A

San Francisco, Calif.

CLASS C

Eureka, Calif.

DISTRICT NO. 14—SAN ANTONIO, TEX.

CLASS A

*Del Rio, Tex.
*Eagle Pass, Tex.
*Falcon Heights, Tex.
*Hidalgo, Tex.
*Laredo, Tex.
*Los Ebanos, Tex.
*Progreso, Tex.
*Rio Grande City, Tex.
*Roma, Tex.

CLASS B

San Ygnacio, Tex.

DISTRICT NO. 15—EL PASO, TEX.

CLASS A

*Columbus, N. Mex.
El Paso, Tex.
*Fabens, Tex.
*Presidio, Tex.

CLASS B

Antelope Wells, N. Mex.
Monument No. 67, near Cloverdale, N. Mex.
Boquillas, Tex.
Candelaria, Tex.
Castolon, Tex.
Chinati, Tex.
Fort Hancock, Tex.
Heath Crossing, Tex.
Lajitas, Tex.
Polvo, Tex.
Porvenir, Tex.
Ruidosa, Tex.
San Vicente, Tex.
Stillwell Crossing, Tex.

DISTRICT NO. 16—LOS ANGELES, CALIF.

CLASS A

*Andrade, Calif.
*Calexico, Calif.
*San Diego, Calif.
*San Diego Border Station, Calif.
*San Luis Obispo, Calif. (the port of San Luis Obispo includes, among others, the port facilities at Avila, Estero Bay, El Capitan, Elwood, Gaviota, Morro Bay, and Santa Barbara, Calif.).
Los Angeles, Calif. (the port of Los Angeles includes, among others, the port facilities at San Pedro, Long Beach, Port Hueneme, and Ventura, Calif.).
*Tecate, Calif.

DISTRICT NO. 17—HONOLULU, HAWAII

CLASS A

*Agana, Guam, M.I. (including the port facilities at Apra Harbor, Guam).
Honolulu, Hawaii.

CLASS C

Hilo, Hawaii.
Kahului, Hawaii.
Nawiliwilli, Hawaii.
Port Allen, Hawaii.

DISTRICT NO. 18—PHOENIX, ARIZ.

CLASS A

*Douglas, Ariz.
*Lukeville, Ariz.
*Naco, Ariz.
*Nogales, Ariz.
*Sasabe, Ariz.
*San Luis, Ariz.

CLASS B

Lochiel, Ariz.

DISTRICT NO. 22—PORTLAND, MAINE

CLASS A

*Bangor, Maine (the port of Bangor includes, among others, the port facilities at Bar Harbor, Belfast, Brewer, Bucksport, Jonesport, Northeast Harbor, Prospect Harbor, Sandypoint, Seal Harbor, Searsport, and South West Harbor, Maine).
*Bridgewater, Maine.
*Calais, Maine (includes Ferry Point, Union and Milltown Bridges).
*Coburn Gore, Maine.
*Eastport, Maine.
*Port Fairfield, Maine.

*Fort Kent, Maine.
*Hamlin, Maine.
*Houlton, Maine.
*Jackman, Maine.
*Limestone, Maine.
Lubec, Maine.
*Madawaska, Maine.
Portland, Maine.
*St. Aurelie, Maine.
*Van Buren, Maine.
*Vanceboro, Maine.

CLASS B

Daaquam, Maine.
Easton, Maine.
Estcourt, Maine.
Forest City, Maine.
Knoxford Line Road (Mars Hill), Maine.
Monticello, Maine.
Orient, Maine.
Robbinston, Maine.
St. Juste, Maine.
St. Pamphile, Maine.

CLASS C

Bath, Maine.
Boothbay Harbor, Maine.
Kittery, Maine.
Rockland, Maine.
Wiscasset, Maine.

DISTRICT NO. 23—HARTFORD, CONN.

CLASS A

Hartford, Conn. (the port of Hartford includes, among others, the port facilities at Bridgeport, Groton, New Haven, and New London, Conn.).

DISTRICT NO. 24—CLEVELAND, OHIO

CLASS A

Cleveland, Ohio.
*Sandusky, Ohio.
*Toledo, Ohio.

CLASS C

Ashtabula, Ohio.
Conneaut, Ohio.
Fairport, Ohio.
Huron, Ohio.
Lorain, Ohio.
Marblehead, Ohio.

DISTRICT NO. 25—WASHINGTON, D.C.

CLASS A

Washington, D.C. (includes the port facilities at Alexandria, Va.).
Moorehead City, N.C.
*Wilmington, N.C.
*Norfolk, Va. (includes the port facilities at Newport News and Fort Monroe, Va.).

CLASS C

Richmond, Va.
Yorktown, Va. (includes the port facilities at the U.S. Navy Mine Depot, Cheatham Annex, and at the U.S. Navy Mine School, Va.).

DISTRICT NO. 26—ATLANTA, GA.

CLASS A

*Mobile, Ala.
Brunswick, Ga.
*Savannah, Ga.
*Charleston, S.C.
Georgetown, S.C.

CLASS C

Beaufort, S.C. (the port of Beaufort includes Parris Island, Port Royal Island, and adjacent waters).

DISTRICT NO. 27—SAN JUAN, P.R.

CLASS A

Aguadilla, P.R.
Ensenada, P.R.
Fajardo, P.R.
Humacao, P.R.
Jobos, P.R.
Mayagues, P.R.
Ponce, P.R.
San Juan, P.R.
*Christiansted, St. Croix, V.I.
Frederiksted, St. Croix, V.I.
Crus Bay, St. John, V.I.
*Charlotte Amalie, St. Thomas, V.I.

DISTRICT NO. 28—NEW ORLEANS, LA.

CLASS A

Lake Charles, La.
New Orleans, La. (the port of New Orleans includes, among others, the port facilities at Avondale, Bell Chasse, Braithwaite, Chalmette, Destrahan, Gretna, Harvey, Marrero, Norco, Port Sulphur, St. Rose, and Westwego, La.).
Gulfport, Miss.

CLASS C

Baton Rouge, La.
Morgan City, La.
Pascagoula, Miss.

DISTRICT NO. 30—HELENA, MONT.

CLASS A

*Eastport, Idaho.
*Porthill, Idaho.
Chief Mountain, Mont. (May–October).
Del Bonita, Mont.
*Morgan, Mont.
*Opheim, Mont.
*Piegan, Mont.
*Raymond, Mont.
*Roosville, Mont.
*Scobey, Mont.
*Sweetgrass, Mont.
*Turner, Mont.
*Whitetail, Mont.
*Wildhorse, Mont.
*Willow Creek, Mont.

CLASS B

Whitlash, Mont.

DISTRICT NO. 31—PORTLAND, OREG.

CLASS A

Astoria, Oreg. (the port of Astoria includes, among others, the port facilities at Bradwood, Pacific City, Taft, Tillamook (including Garibaldi and Bay City), Warrenton, Wauna, and Westport, Oreg.).
Coos Bay, Oreg. (the port of Coos Bay includes, among others, the port facilities at Bandon, Brookings, Depoe Bay, Florence, Frankfort, Gold Beach, Newport (including Toledo), Port Orford, Reedsport, Waldport, and Yachats, Oreg.).
Portland, Oreg. (the port of Portland includes, among others, the port facilities at Beaver, Columbia City, Prescott, Rainier, and St. Helens, Oreg.; and Kalama, Longview, and Vancouver, Wash.).

DISTRICT NO. 32—ANCHORAGE, ALASKA

CLASS A

Anchorage, Alaska (the port of Anchorage includes, among others, the port facilities at Kodiak, Seward, Whittier and Valdez, Alaska).
*Haines, Alaska.
Juneau, Alaska.
*Ketchikan, Alaska (the port of Ketchikan includes, among others, the port facilities at Pelican, Petersburg, Sitka, and Wrangell, Alaska).
Skagway, Alaska.
*Tok, Alaska.

CLASS B

Eagle, Alaska.

DISTRICT NO. 36—PORT ISABEL, TEX.

CLASS A

Beaumont, Tex.
*Brownsville, Tex. (the port of Brownsville includes, among others, the port facilities at Port Isabel, Tex.).
*Corpus Christi, Tex. (the port of Corpus Christi includes, among others, the port facilities at Harbor Island, Ingleside, and Port Lavaca-Point Comfort, Tex.).
*Galveston, Tex. (the port of Galveston includes, among others, the port facilities at Freeport, Port Bolivar, and Texas City, Tex.).
*Houston, Tex. (the port of Houston includes, among others, the port facilities at Baytown, Tex.).
*Port Arthur, Tex. (the port of Port Arthur includes, among others, the port facilities at Orange and Sabine, Tex.).

(3) *Ports of entry for aliens arriving by aircraft.* In addition to the following international airports which are hereby designated as ports of entry for aliens arriving by aircraft, other places where permission for certain aircraft to land officially has been given and places where emergency or forced landings are made under Part 239 of this chapter shall be regarded as designated for the entry of aliens arriving by such aircraft:

DISTRICT NO. 1—ST. ALBANS, VT.

Burlington, Vt., Burlington Municipal Airport.

DISTRICT NO. 6—MIAMI, FLA.

Fort Lauderdale, Fla., Fort Lauderdale-Hollywood Airport.
Key West, Fla., Key West International Airport.
Miami, Fla., Chalks Flying Service Seaplane Base.
Miami, Fla., Miami International Airport.
Tampa, Fla., Tampa International Airport.
West Palm Beach, Fla., Palm Beach International Airport.

DISTRICT NO. 7—BUFFALO, N.Y.

Albany, N.Y., Albany County Airport.
Buffalo, N.Y., Greater Buffalo International Airport.
Massena, N.Y., Richards Field.
Ogdensburg, N.Y., Ogdensburg Harbor.
Ogdensburg, N.Y., Ogdensburg Municipal Airport.
Rochester, N.Y., Rochester-Monroe County Airport.
Rouses Point, N.Y., Rouses Point Seaplane Base.
Watertown, N.Y., Watertown Municipal Airport.

DISTRICT NO. 8—DETROIT, MICH.

Detroit, Mich., Detroit-City Airport.
Detroit, Mich., Detroit Metropolitan Wayne County Airport.
Port Huron, Mich., St. Clair County Airport.
Sault Ste. Marie, Mich., Sault Ste. Marie Airport.

DISTRICT NO. 9—CHICAGO, ILL.

Chicago, Ill., Chicago Midway Airport.

DISTRICT NO. 10—ST. PAUL, MINN.

Baudette, Minn., Baudette International Airport.
Duluth, Minn., Duluth International Airport.
Duluth, Minn., Sky Harbor Airport.
International Falls, Minn., Falls International Airport.
Ranier, Minn., International Seaplane Base.
Grand Forks, N. Dak., Grand Forks International Airport.
Minot, N. Dak., Minot International Airport.
Pembina, N. Dak., Port Pembina Airport.
Portal, N. Dak., Portal Airport.
Williston, N. Dak., Sloulin Field (Municipal).

DISTRICT NO. 12—SEATTLE, WASH.

Bellingham, Wash., Bellingham Airport.
Friday Harbor, Wash., Friday Harbor.
Oroville, Wash., Dorothy Scott Municipal Airport.
Oroville, Wash., Dorothy Scott Seaplane Base.
Port Townsend, Wash., Jefferson County International Airport.

Seattle, Wash., Boeing Municipal Air Field.
Seattle, Wash., Lake Union.
Spokane, Wash., Felts Field.

DISTRICT NO. 14—SAN ANTONIO, TEX.

Del Rio, Tex., Del Rio International Airport.
Eagle Pass, Tex., Eagle Pass Airport.
Laredo, Tex., Laredo International Airport.
McAllen, Tex., Miller International Airport.

DISTRICT NO. 15—EL PASO, TEX.

El Paso, Tex., International Airport.

DISTRICT NO. 16—LOS ANGELES, CALIF.

Calexico, Calif., Calexico International Airport.
San Diego, Calif., San Diego Municipal Airport (Lindbergh Field).

DISTRICT NO. 17—HONOLULU, HAWAII

Agana, Guam, Mariana Islands, Agana Field.

DISTRICT NO. 18—PHOENIX, ARIZ.

Douglas, Ariz., Bisbee-Douglas Airport.
Nogales, Ariz., Nogales International Airport.
Tucson, Ariz., Tucson International Airport.
Yuma, Ariz., Yuma International Airport.

DISTRICT NO. 22—PORTLAND, MAINE

Caribou, Maine, Caribou Municipal Airport.

DISTRICT NO. 24—CLEVELAND, OHIO

Akron, Ohio, Municipal Airport.
Cleveland, Ohio, Cleveland Hopkins Airport.
Put In Bay, Ohio, Put In Bay Airport.
Sandusky, Ohio, John G. Hinde Airport.

DISTRICT NO. 30—HELENA, MONT.

Cut Bank, Mont., Cut Bank Airport.
Glasgow, Mont., Glasgow International Airport.
Great Falls, Mont., Great Falls International Airport.
Havre, Mont., Havre-Hill County Airport.

DISTRICT NO. 32—ANCHORAGE, ALASKA

Juneau, Alaska, Juneau Municipal Airport.
Juneau, Alaska, Juneau Airport (Seaplane Base only).
Ketchikan, Alaska, Ketchikan Airport.
Wrangell, Alaska, Wrangell Seaplane Base.

DISTRICT NO. 36—PORT ISABEL, TEX.

Brownsville, Tex., Rio Grande Valley International Airport at Brownsville, Tex.

(4) *Immigration offices in foreign countries.*

Athens, Greece.
Guadalajara, Mexico.
Hamilton, Bermuda.
Hong Kong, B.C.C.
Monterrey, Mexico.
Montreal, Quebec, Canada.
Naples, Italy.
Nassau, Bahamas.
Ottawa, Ontario, Canada.
Palermo, Italy.
Tijuana, Mexico.
Tokyo, Japan.
Toronto, Ontario, Canada.
Vancouver, British Columbia, Canada.
Victoria, British Columbia, Canada.
Vienna, Austria.
Winnipeg, Manitoba, Canada.

(d) *Border Patrol Sectors.* Border Patrol sector headquarters and stations are situated at the following locations:

SECTOR NO. 1—HOULTON, MAINE

Calais, Maine.
Fort Fairfield, Maine.
Houlton, Maine.
Jackman, Maine.
Lincoln, Maine.
Van Buren, Maine.

SECTOR NO. 2—SWANTON, VT.

Beecher Falls, Vt.
Newport, Vt.
Richford, Vt.
Rouses Point, N.Y.
Swanton, Vt.
Whitehall, N.Y.

SECTOR NO. 3—OGDENSBURG, N.Y.

Malone, N.Y.
Massena, N.Y.
Ogdensburg, N.Y.
Watertown, N.Y.

SECTOR NO. 4—BUFFALO, N.Y.

Buffalo, N.Y.
Niagara Falls, N.Y.

SECTOR NO. 5—DETROIT, MICH.

Detroit, Mich.
Port Huron, Mich.
Saulte Ste. Marie, Mich.
Trenton, Mich.

SECTOR NO. 6—GRAND FORKS, N. DAK.

Bottineau, N. Dak.
Grand Forks, N. Dak.
Grand Marais, Minn.
International Falls, Minn.
Minot, N. Dak.
Pembina, N. Dak.
Portal, N. Dak.
Warroad, Minn.

SECTOR NO. 7—HAVRE, MONT.

Browning, Mont.
Havre, Mont.
Malta, Mont.
Shelby, Mont.
Sweetgrass, Mont.
Wolf Point, Mont.

SECTOR NO. 8—SPOKANE, WASH.

Bonners Ferry, Idaho.
Colville, Wash.
Oroville, Wash.
Spokane, Wash.
White Fish, Mont.

SECTOR NO. 9—BLAINE, WASH.

Bellingham, Wash.
Blaine, Wash.
Lynden, Wash.

SECTOR NO. 10—LIVERMORE, CALIF.

Bakersfield, Calif.
Fresno, Calif.
Livermore, Calif.
Sacramento, Calif.
Salinas, Calif.
Stockton, Calif.

SECTOR NO. 11—CHULA VISTA, CALIF.

Campo, Calif.
Chula Vista, Calif.
El Cajon, Calif.
Oceanside, Calif.
Oxnard, Calif.
Temecula, Calif.

SECTOR NO. 12—EL CENTRO, CALIF.

Calexico, Calif.
El Centro, Calif.
Indio, Calif.
Riverside, Calif.

SECTOR NO. 13—YUMA, ARIZ.

Blythe, Calif.
Yuma, Ariz.

SECTOR NO. 14—TUCSON, ARIZ.

Casa Grande, Ariz.
Douglas, Ariz.
Gila Bend, Ariz.
Nogales, Ariz.
Phoenix, Ariz.
Tucson, Ariz.
Willcox, Ariz.

SECTOR NO. 15—EL PASO, TEX.

Alamogordo, N. Mex.
Carlsbad, N. Mex.
Columbus, N. Mex.
El Paso, Tex.
Fabens, Tex.
Fort Hancock, Tex.
Las Cruces, N. Mex.
Lordsburg, N. Mex.
Sierra Blanca, Tex.

SECTOR NO. 16—MARFA, TEX.

Alpine, Tex.
Fort Stockton, Tex.
Lubbock, Tex.
Marfa, Tex.
Pecos, Tex.
Presidio, Tex.
Sanderson, Tex.

SECTOR NO. 17—DEL RIO, TEX.

Brackettville, Tex.
Carrizo Springs, Tex.
Comstock, Tex.
Del Rio, Tex.
Eagle Pass, Tex.
Ozona, Tex.
Sonora, Tex.
Uvalde, Tex.

SECTOR NO. 18—LAREDO, TEX.

Cotulla, Tex.
Hebbronville, Tex.
Laredo, Tex.
Zapata, Tex.

SECTOR NO. 19—MCALLEN, TEX.

Falfurrias, Tex.
McAllen, Tex.
Mercedes, Tex.
Rio Grande City, Tex.

SECTOR NO. 20—PORT ISABEL, TEX.

Brownsville, Tex.
Corpus Christi, Tex.
Galveston, Tex.
Harlingen, Tex.
Kingsville, Tex.

SECTOR NO. 21—NEW ORLEANS, LA.

Baton Rouge, La.
Gulfport, Miss.
Lake Charles, La.
Mobile, Ala.
New Orleans, La.
Pensacola, Fla.
Texarkana, Ark.

SECTOR NO. 22—MIAMI, FLA.

Jacksonville, Fla.
Key West, Fla.
Miami, Fla.
Tampa, Fla.
West Palm Beach, Fla.

§ 100.5 Regulations.

The regulations of the Immigration and Naturalization Service, published as Chapter I of Title 8 of the Code of Federal Regulations, contain information which, under the provisions of section 552 of Title 5 of the United States Code, is required to be published and is subdivided into Subchapter A (General Provisions, Parts 1 through 3, inclusive), Subchapter B (Immigration Regulations, Parts 100 through 299, inclusive), and Subchapter C (Nationality Regulations, Parts 306 through 499, inclusive). Any person desiring information with respect to a particular procedure (other than rule making) under the Immigration and Nationality Act should examine the part or section in Chapter I of Title 8 of the Code of Federal Regulations dealing with

such procedures as well as the section of the Act implemented by such part or section.

§ 100.6 Rule making.

Section 103(a) of the Immigration and Nationality Act requires the Attorney General to establish such regulations as he deems necessary for carrying out his authority under the provisions of that Act. The Attorney General has delegated certain rule making authority to the Commissioner of Immigration and Naturalization. The provisions of the Federal Register Act (49 Stat. 500; 44 U.S.C. 301–314), as amended, and of the regulations thereunder (1 CFR—Administrative Committee of the Federal Register) as well as the provisions of section 553 of Title 5 of the United States Code governing the issuance of regulations are observed.

PART 101—PRESUMPTION OF LAWFUL ADMISSION

Sections 101.2 and 101.3 are added to read as follows:

§ 101.2 Presumption of lawful admission; entry under erroneous name or other errors.

An alien who entered the United States as either an immigrant or nonimmigrant under any of the following circumstances shall be regarded as having been lawfully admitted in such status, except as otherwise provided in this part: An alien otherwise admissible whose entry was made and recorded under other than his full true and correct name or whose entry record contains errors in recording sex, names of relatives, or names of foreign places of birth or residence, provided that he establishes by clear, unequivocal, and convincing evidence that the record of the claimed admission relates to him, and, if entry occurred on or after May 22, 1918, if under other than his full, true and correct name that he also establishes that the name was not adopted for the purpose of concealing his identity when obtaining a passport or visa, or for the purpose of using the passport or visa of another person or otherwise evading any provision of the immigration laws, and that the name used at the time of entry was one by which he had been known for a sufficient length of time prior to making application for a passport or visa to have permitted the issuing authority or authorities to have made any necessary investigation concerning him or that his true identity was known to such officials.

§ 101.3 Alien Registration Receipt Card (Form I–151).

Upon establishment of lawful admission for permanent residence under this part, an Alien Registration Receipt Card, Form I–151, shall be issued without requiring the submission of an application or fee.

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. The heading of Part 103 is amended to read as set out above.

2. The authority citation in Part 103 is amended to read as follows:

AUTHORITY: The provisions of this Part 103 issued under sec. 501, 65 Stat. 290, sec. 103, 66 Stat. 173; 5 U.S.C. 140, 8 U.S.C. 1103. Interpret or apply secs. 281, 332, 343, 344, 405, 66 Stat. 230, 252, 263, 264, 280; 8 U.S.C. 1351, 1443, 1454, 1455, 1101 and note; 5 U.S.C. 552.

§ 103.1 [Amended]

3. Paragraph (c) of § 103.1 is amended to read as follows:

(c) *General Counsel.* The legal advisory, legislative, litigation, and trial attorney (including appellate trial attorney at the Board of Immigration Appeals) activities of the Service.

4. Paragraph (g) *Officers in charge* of § 103.1 *Delegations of authority* is amended by adding the following sentences at the end thereof: "The officers in charge in the places enumerated in § 212.1(h) of this chapter have the authority to act on requests for waiver of visa and passport requirements under the provisions of section 212(d)(4)(A) of the Act. The officers in charge of the offices located in Mexico City, Mexico; Guadalajara, Mexico; Monterrey, Mexico; Tijuana, Mexico; Frankfurt, Germany; Athens, Greece; Rome, Italy; Naples, Italy; Palermo, Italy; Vienna, Austria; Manila Philippines; Tokyo, Japan; and Hong Kong, B.C.C., are authorized to perform the following functions: Authorize waivers of grounds of excludability under sections 212 (h) and (i) of the Act; adjudicate applications for permission to reapply for admission to the United States after deportation or removal, if filed by an alien who has applied for an immigrant visa at an American consular office, when the application for permission to reapply is submitted in conjunction with an application for waiver of grounds of excludability under section 212 (h) or (i) of the Act; approve visa petitions for any immediate relative or preference status except third and sixth preferences; in cases in which the Department of State had delegated recommending power to the consular officer, approve recommendations made by consular officers for waiver of grounds of excludability in behalf of nonimmigrant visa applicants under section 212(d)(3) of the Act and concur in proposed waivers by consular officers of the requirement of visa or passport by a nonimmigrant on the basis of unforeseen emergency; exercise discretion to grant applications for the benefits of sections 211 and 212(c) of the Act; process Form I–90 applications and deliver duplicate Forms I–151; extend reentry permits; and process Form N–565 applications and deliver certificates issued thereunder. The officers in charge of the offices located in the following places are authorized to perform the following functions:

Athens—Authorize conditional entry under section 203(a)(7) of the Act;

Frankfurt—Authorize conditional entry under section 203(a)(7) of the Act;

Hamilton—Preinspection of passengers and crew on aircraft and surface vessels departing directly to the U.S. mainland;

Montreal—Preinspection of passengers and crew of aircraft departing directly to the U.S. mainland and authorize waivers of grounds of excludability under sections 212 (h) and (i); also, approve applications for permission to reapply for admission to the United States after deportation or removal, when filed in conjunction with an application for waiver of grounds of excludability under section 212 (h) or (i) of the Act;

Nassau—Preinspection of passengers and crew on aircraft and surface vessels departing directly to the U.S. mainland;

Rome—Authorize conditional entry under section 203(a)(7) of the Act; and

Vienna—Authorize conditional entry under section 203(a)(7) of the Act.

§ 103.2 [Amended]

5. Paragraph (a) *General* of § 103.2 *Applications, petitions, and other documents* is amended in the following respects:

a. The following sentence is inserted after the existing first sentence: "The native form of a name may also be required if such a document has been executed in an anglicized version thereof."

b. The existing third sentence is amended to read as follows: "Any required oath may be administered by an immigration officer or person generally authorized to administer oaths, including persons so authorized by Article 136 of the Uniform Code of Military Justice."

6. Subparagraph (1) *Requirements* of paragraph (b) *Evidence* of §103.2 *Applications, petitions, and other documents* is amended in the following respects:

a. The following sentence is inserted after the existing first sentence: "Form I–134 may be used if an affidavit of support would be helpful in resolving any public charge aspect."

b. The following two sentences are added at the end thereof: "The status of an applicant or petitioner who claims that he is a lawful permanent resident alien of the United States will be verified from official records of the Service. In the absence of such a record, the applicant or petitioner shall be required to establish that he is a lawful permanent resident alien by the submission of evidence such as his passport bearing a Service endorsement reflecting a lawful admission for permanent residence, his Form I–151, Alien Registration Receipt Card, or his immigrant identification card."

§ 103.3 [Amended]

7. Paragraph (a) *Denials and appeals* of § 103.3 *Denials, appeals, and precedent decisions* is amended in the following respects:

a. The following sentence is inserted after the existing first sentence: "If the notification is made on Form I–292, the signed duplicate thereof constitutes the order of denial."

b. The following sentence is added at the end thereof: "An appeal, cross-appeal, answers thereto and accompanying brief, if any, shall become part of the record of proceeding and, if filed by an officer of the Service, a copy shall be served on the party affected."

8. Paragraph (c) of § 103.6 is amended by adding subparagraph (3) and paragraph (e) is amended to read as follows:

§ 103.6 Surety bonds.

* * * * *

(c) *Cancellation.* * * *

(3) *Substantial performance.* Substantial performance of all conditions imposed by the terms of a bond shall release the obligor from liability.

* * * * *

(e) *Breach of bond.* A bond is breached when there has been a substantial violation of the stipulated conditions. A final determination that a bond has been breached creates a claim in favor of the United States which may not be released or discharged by a Service officer. The district director having jurisdiction over the place where any immigration bond is retained shall finally determine whether a bond shall be declared breached or cancelled, and shall notify the obligors in writing on Form I–323 or Form I–391 of his decision.

§ 103.7 [Amended]

9. Section 103.7 is amended in the following respects:

a. The heading is amended to read: "Fees".

b. Paragraph (a) is deleted.

c. Paragraphs (b) and (c) are redesignated as paragraphs (a) and (b).

d. The third item in newly designated paragraph (b) is deleted.

e. The following is added at the end of the existing schedule of fees in newly designated paragraph (b):

For the services expended in locating or making available records or copies thereof under 5 U.S.C. 552, the following user charges are deemed fair and equitable and shall be assessed against the person who requests that records be made available:

(a) Each Form N–585 shall be accompanied by payment of (This charge will be retained whether or not an identified record is located.)	$3.00
(b) For each one quarter man-hour or fraction thereof spent in excess of the first quarter hour in searching for or producing a requested record	1.00
(c) For each one quarter hour or fraction thereof spent in monitoring the requester's examination of materials	1.00
(d) For copies of documents:	
First page	.50
Each additional page (Maximum number of copies furnished of any document, 410.)	.25
(e) For each certification of a true copy	1.00
(f) For each attestation under seal	3.00

10. Section 103.8 is added to read as follows:

§ 103.8 Definitions pertaining to availability of information.

As used in this part the following definitions shall apply:

(a) The term "decision" means a final written determination in a proceeding under the Act accompanied by a statement of reasons. Orders made by check marks, stamps, or brief endorsements which are not supported by a reasoned explanation, or those incorporating preprinted language on Service forms are not "decisions".

(b) The term "records" includes records of proceedings, documents, reports, and other papers maintained by the Service.

(c) The term "record of proceeding" is the official history of any hearing, examination, or proceeding before the Service, and in addition to the application, petition, order to show cause, or other initiating document, includes the transcript of hearing or interview, exhibits, and any other evidence relied upon in the adjudication; papers filed in connection with the proceeding, including motions and briefs; the Service officer's determination; notice of appeal or certification; the Board or other appellate determination; motions to reconsider or reopen; and documents submitted in support of appeals, certifications, or motions.

11. Section 103.9 is added to read as follows:

§ 103.9 Availability of decisions and interpretive material.

(a) *Precedent decisions.* There may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, bound volumes of designated precedent decisions entitled "Administrative Decisions Under Immigration and Nationality Laws of the United States," each containing a cumulative index. Prior to publication in volume form current precedent decisions, known as interim decisions, are obtainable from the Superintendent of Documents on a single copy or yearly subscription basis. Bound volumes and current precedent decisions may be read at principal Service offices.

(b) *Unpublished decisions.* Each district director in the United States will maintain copies of unpublished Service and Board decisions relating to proceedings in which the initial decision was made in his district. Each regional commissioner will maintain copies of unpublished decisions made by him. The Central Office will maintain copies on a national basis of unpublished Service decisions.

(c) *Deletion of identifying details.* To the extent required to prevent a clearly unwarranted invasion of personal privacy, the officer who makes the decision shall provide for deletions of names and such other identifying data as he deems appropriate from copies of decisions which are made available.

(d) *Statements of policy, interpretations, manuals, instructions to staff.* Statements of policy, interpretations, and those manuals and instructions to staff (or portions thereof), affecting the public, will be made available at district offices in the United States and at the Central Office with an accompanying index of any material which is issued on or after July 4, 1967.

(e) *Public reading rooms.* The Central Office and each district office in the United States will provide a reading room or reading area where the material described in this section will be made available to the public. Additional materials will be made available in the public reading rooms, including the immigration and nationality laws, Title 8 of the United States Code Annotated, Title 8 of the Code of Federal Regulations, and a complete set of the forms listed in Parts 299 and 499 of this chapter. Fees will not be charged for providing access to any of these materials, but fees in accordance with § 103.7(b) will be charged for furnishing copies.

12. Section 103.10 is added to read as follows:

§ 103.10 Records.

(a) *Availability of records generally.* A request for a record will be submitted in accordance with paragraphs (c) and (d) of this section on Form N–585. The form concerning such a request will be forwarded by the office receiving it to the Commissioner for transmission to the Deputy Attorney General pursuant to 28 CFR 16.6(b). When the requested record is identified and located a copy thereof will be forwarded with the form and with the recommendation of the receiving office. When the requested record cannot be identified or located, a brief summary of the action taken to identify and locate it and a copy of the application form shall be submitted in the same manner to the Deputy Attorney General.

(b) *Requests which may be approved by Service officers.* Notwithstanding the provisions of subsection (a) above, the following types of requests for information and records may be granted by the head of the office to which the request is submitted and without submission to the Deputy Attorney General:

(1) Requests for information and records which officers and employees of the Service prior to the enactment of 5 U.S.C. 552 customarily furnished to the public in the regular performance of their duties;

(2) Requests for records of proceedings in deportation hearings, unless members of the public have been excluded from the hearing by direction of the special inquiry officer pursuant to § 242.16(a) of this chapter;

(3) Requests for records of proceedings in naturalization examinations and hearings;

(4) Requests for records of proceedings in any other proceeding before the Service which was open to the public;

(5) Requests for records of proceedings in administrative fine cases.

When in the opinion of the receiving office such a request for a record should not be granted the request will be processed in conformity with paragraph (a) of this section.

(c) *Places and manner of obtaining records*—(1) *Places.* Records shall be made available in the Central Office, each regional office, any district office in the United States, and the following offices: Agana, Guam; Albany, N.Y.; Cincinnati, Ohio; Dallas, Tex.; Hammond, Ind.; Houston, Tex.; Memphis, Tenn.; Milwaukee, Wis.; Norfolk, Va.; Pittsburgh, Pa.; Providence, R.I.; Reno, Nev.; St. Louis, Mo.; Salt Lake City, Utah; San Diego, Calif.; Spokane, Wash.; additionally, in particular cases,

a district Director may designate any other Service office. Requests for Board records described in 28 CFR 16.6 shall be submitted to the Associate Commissioner, Management.

(2) *Manner of requesting records; fees.* Requests for records may be made in person or by mail. Each request made under this section pertaining to the availability of a record shall include or consist of Form N–585, or Form I–550 when submitted in accordance with a request by an American consul, shall be accompanied by a fee of $3 as provided in § 103.7(b), and shall describe the record with sufficient specificity with respect to names, dates, subject matter, and location to permit it to be identified and located. A fee shall not be required when the request is made by Federal or State Government agencies, including political subdivisions and municipalities. A single fee shall be charged for a request for a search relating to one individual even though information concerning him is in more than one record and in more than one place.

(3) *Temporary withholding of records.* Records relating to matters pending before the Service may be withheld when in the opinion of the district director compliance with the request will disrupt the administrative process. Nothing contained herein is intended to impair the right of a party to a proceeding, or his attorney or representative, to examine the record of proceeding and obtain a copy thereof, as provided in § 292.4(b) of this chapter.

(d) *Authority to release information and certify records; fees for copies and certification.* (1) Subject to the authority reserved to the Attorney General under 28 CFR 16.6 and 16.7 and subject to such restrictions as may be imposed by law or this chapter, authority coextensive with that of the Commissioner is hereby delegated to the officers listed below to furnish information from Service records to any person entitled thereto and to certify copies thereof;

(i) The Associate Commissioner, Management, as to files, documents, and records in the custody of the Central Office.

(ii) A regional commissioner or district director as to files, documents, and records in the custody of his office.

(2) The Chief, Records Administration and Information Branch, Central Office, may certify as to the nonexistence of an official record in the records of the Service.

PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR AS A PREFERENCE IMMIGRANT

1. Paragraph (d) is amended by adding a new subparagraph (8), subparagraph (1) of paragraph (e) is amended, and paragraph (f) is amended by designating the present text as subparagraph "(1) *General*" and adding a new subparagraph (2) of § 204.2 to read as follows:

§ 204.2 Documents.

* * * * *

(d) *Evidence of family relationship between petitioner and beneficiary.* * * *

(8) *Blood tests.* When a blood relationship is claimed, the district director may require that blood tests be conducted of the petitioner, beneficiary, and other family members. Such blood tests shall be conducted at the expense of the petitioner by the United States Public Health Service or by a qualified medical specialist designated by the district director. Refusal to submit to blood tests when required may constitute a basis for denial of the petition. When the petitioner, the beneficiary, or other family members are outside the United States, a visa petition may be approved or condition that the results of any requested blood tests will show that the existence of the claimed relationship is not precluded. When a visa petition is approved conditionally, the names and addresses of the persons of whom blood tests are to be conducted shall be set forth by the district director in the visa petition and in the notice of approval. Upon receipt of medical advice that the blood test results preclude the existence of the claimed blood relationship between the petitioner and the beneficiary, the district director shall withdraw his conditional approval and shall reopen the visa petition proceeding.

(e) *Evidence required to accompany petition for orphan*—(1) *General.* A petition filed on behalf of an orphan under § 204.1(b) must be accompanied by fingerprint charts on Form FD 258 of the petitioning U.S. citizen and spouse; evidence of U.S. citizenship of the petitioner as provided in paragraph (b) of this section; a certificate of marriage of the petitioner and spouse and proof of legal termination of their previous marriages, if any; proof of age of the orphan in the form of a birth certificate, or if such certificate is not available other evidence of his birth; evidence that the petitioner and spouse are able to care for the orphan properly, such as letters from employers, banks, and accountants, financial statements, copies of income-tax returns; a certified copy of the adoption decree together with certified translation, if the orphan has been lawfully adopted abroad; and evidence that the sole or surviving parent is incapable of providing for the orphan's care and has in writing irrevokably released the orphan for emigration and adoption if the orphan has only one parent. A child shall be considered as having a sole parent, his mother, when it is established that the child is illegitimate, and has not acquired a second parent within the contemplation of section 101(b)(2) of the Act. A child shall be considered as having a surviving parent when it is established that one of the child's parents is living while one is deceased, and the child has not acquired a second parent within the meaning of section 101(b)(2) of the Act. When a child who has a sole or surviving parent has been adopted abroad, the requirement for an irrevocable release in writing for the child's emigration and adoption shall be considered to have been met if the adoption decree clearly sets forth that the adoptive petitioner and spouse reside in the United States and that the child's only parent has in the presence of the court agreed to the adoption. A child who has been unconditionally abandoned to an orphanage shall be considered as having no parents. However, a child shall not be considered as having been abandoned when he has been placed temporarily in an orphanage, if the parent or parents intend to retrieve the child, or the parent or parents are contributing or attempting to contribute to the child's support, or the parent or parents otherwise exhibit that they have not terminated their parental obligations to the child.

* * * * *

(f) *Evidence of professional status or of exceptional ability in sciences or arts*—(1) *General.* * * *

(2) *Physicians.* An alien physician shall be considered eligible for classification as a member of the professions if he establishes that he was graduated from a medical school in the United States or Canada, or that he was graduated from a foreign medical school and has successfully passed the examination given by the Educational Council for Foreign Medical Graduates, or that he was graduated from a foreign medical school and has obtained a full and unrestricted license to practice medicine in the country where he obtained his medical education. In any other case the district director may consult the Educational Council for Foreign Medical Graduates or other organizations and experts in the medical field for the purpose of obtaining an advisory opinion of the alien's qualifications as a physician.

* * * * *

2. Section 204.6 is added to read as follows:

§ 204.6 Effect of changed employment on priority date for sixth preference classification.

When a new petition by another employer is approved in behalf of the beneficiary of a previously approved sixth-preference petition, and the beneficiary has accepted or intends to accept employment with the new petitioner, the beneficiary shall no longer be entitled to a priority date as of the date of filing of the original petition. Instead, his priority date shall be the date of filing of the subsequently approved petition for sixth preference classification. However, the original priority date shall be

restored if the beneficiary returns to the original petitioner's employment or establishes that he intends upon arrival in the United States to be employed by the original employer as specified in the original petition, and that petition is still valid or is revalidated.

PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

Section 211.5 is added to read as follows:

§ 211.5 Recording the entry of certain immigrant children admitted without \nmigrant visas.

When an immigrant alien who: (a) Is a child born subsequent to the issuance of an immigrant visa to his accompanying parent; or (b) is a child born during the temporary visit abroad of a mother who is a lawful permanent resident, or a national, of the United States, is admitted to the United States for lawful permanent residence without an immigrant visa, the admission shall be recorded on Form I–181.

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

1. Section 212.1 is amended by adding new paragraphs (i) and (j) to read as follows:

§ 212.1 Documentary requirements for nonimmigrants.

* * * * *

(h) *Officers authorized to act upon recommendations of United States consular officers for waiver of visa and passport requirements.* All district directors, the officers in charge at Blaine, Wash.; Noyes, Minn.; Niagara Falls, N.Y.; Calexico, Calif.; San Diego Border Station, Calif.; San Diego, Calif.; Douglas, Ariz.; Naco, Ariz.; Nogales, Ariz.; San Luis, Ariz.; Brownsville, Tex.; Del Rio, Tex.; Eagle Pass, Tex.; Hidalgo, Tex.; Laredo, Tex., and Roma, Tex., and all officers in charge of Service offices outside the United States are authorized to act upon recommendations made by U.S. consular officers or by officers of the Visa Office, Department of State, pursuant to the provisions of 22 CFR 41.7 for waiver of visa and passport requirements under the provisions of section 212(d) (4) (A) of the Act. The District Director at Washington, D.C., has jurisdiction in such cases recommended to the Service at the seat of Government level by the Department of State. Neither an application nor fee are required if the concurrence in a passport or visa waiver is requested by a U.S. consular officer or by an officer of the Visa Office. The district director or the Deputy Associate Commissioner, Travel Control, may at any time revoke a waiver previously authorized pursuant to this paragraph and notify the nonimmigrant alien in writing to that effect.

(i) *Cancellation of nonimmigrant visas by immigration officers.* Upon receipt of advice from the Department of State that a nonimmigrant visa has been revoked or invalidated, and request by that Department for such action, immigration officers shall place an appropriate endorsement thereon.

§ 212.2 [Amended]

2. The third sentence of § 212.2 *Consent to reapply for admission after deportation, removal, or departure at Government expense* is amended to read as follows: "If the applicant is abroad or is in the United States seeking advance permission to reapply prior to his departure from the United States, the application shall be filed with the district director having jurisdiction over the place where the deportation or removal proceedings were held; however, an alien who is abroad and is filing Form I–212 in conjunction with a request for a waiver under section 212 (g), (h), or (i), of the Act, or an alien who is in the United States and will file application for a waiver under section 212 (g), (h), or (i), with an American consul, should file Form I–212 and the application for the waiver simultaneously with the American consul."

3. Section 212.2 *Consent to reapply for admission after deportation, removal, or departure at Government expense* is further amended by adding the following two sentences at the end thereof: "The approval of an application filed by an alien whose departure will execute an order of deportation shall be conditioned upon his departure from the United States; otherwise, the approval shall not be conditioned or limited. However, the grant of permission to reapply does not waive inadmissibility under section 212 (a) (16) or (17) of the Act resulting from exclusion, deportation, or removal proceedings which are instituted subsequent to the date permission to reapply is granted."

§ 212.4 [Amended]

4. Paragraph (c) *Terms of authorization* of § 212.4 *Applications for the exercise of discretion under section 212(d)* (3) is amended by adding the following two sentences at the end thereof: "Unless the alien applies for admission during the period of validity of the authorization, a new authorization is required. An authorization may not be revalidated."

5. Section 212.5 is amended by adding paragraph (b) to read as follows:

§ 212.5 Parole of aliens into the United States.

* * * * *

(b) *Advance authorization.* When parole is authorized for an alien who will travel to the United States without a visa, the alien shall be issued Form I–512.

§ 212.6 [Amended]

6. The last sentence of paragraph (b) *Application* of § 212.6 *Nonresident alien border crossing cards* is deleted and the following two sentences are inserted in lieu thereof: "If the application is denied, the applicant shall be given a notice of denial with the reasons therefor on Form I–180. There shall be no appeal from such denial but such denial shall be without prejudice to a subsequent application for a visa or for admission to the United States."

7. Paragraph (d) of § 212.6 is amended to read as follows:

(d) *Voidance.* Forms I–185 and I–186 may be declared void, without notice, by an officer authorized to issue such forms and, upon voidance, shall be surrendered immediately. The alien to whom the form was issued shall be notified of the action taken and the reasons therefor by means of Form I–180 delivered in person or, if such action is not possible, by mailing the Form I–180 to the address shown on the nonresident alien border crossing card. Violations of the immigration laws or subsequent developments indicating inadmissibility shall be grounds, though not exclusive, for voidance of the forms. An appeal shall not lie from a decision voiding a nonresident alien border crossing card but such voidance shall be without prejudice to a subsequent application for a visa or for admission to the United States.

§ 212.7 [Amended]

8. Paragraph (c) *Section 212(e)* of § 212.7 *Waiver of certain grounds of excludability* is amended by inserting the following sentence immediately preceding the existing last sentence: "The applicant and his spouse shall be interviewed by an immigration officer in connection with the application."

9. Subparagraph (5) of paragraph (c) of § 212.8 is amended by inserting the heading "(i) *General*" preceding the existing text and by adding new subdivision (ii) to read as follows:

* * * * *

§ 212.8 Certification requirement of section 212(a)(14).

* * * * *

(c) *Department of Labor certifications in connection with visa petitions and applications for adjustment of status.* * * *

(5) *Aliens who are not members of the professions, who do not have exceptional ability in the sciences or arts, and whose occupations are not included in Schedules A, B, or C, 29 CFR Part 60*—(i) *General.* * * *

(ii) *Multiple certifications.* When a multiple certification on Form ES–575B has been issued by the Department of Labor to an employer who intends to employ a number of aliens in identical positions, the endorsed Form ES–575B bearing the certification of the Secretary of Labor or his designated representative for a specified number of positions shall be submitted as an attachment to the first visa petition or application for adjustment of status filed by or on behalf of an alien named in the list attached to the endorsed Form ES–575B to fill one of the specified positions. Form ES–575A and requisite documentary evidence relating to the alien shall also be attached. Any visa petition or application for adjustment of status subsequently filed by or on behalf of another alien named in the list attached to the endorsed Form

ES–575B need not be accompanied by that form, but shall be accompanied by Form ES–575A and the requisite documentary evidence of the alien's qualifications, together with information from the petitioner or applicant concerning the name, and Service file number if known, of the first alien in whose case the relating Form ES–575B was filed.

* * * * *

PART 213—ADMISSION OF ALIENS ON GIVING BOND OR CASH DEPOSIT

§ 213.1 [Amended]

Section 213.1 *Admission under bond or cash deposit* is amended in the following respects:

a. The following sentence is added immediately after the existing first sentence: "Upon acceptance of such a bond, the district director shall notify the U.S. consular officer who requested the bond, giving the date and place of acceptance and the amount of the bond."

b. The last sentence is amended to read as follows: "For procedures relating to bond riders, acceptable sureties, cancellation or breaching of bonds, see Part 103 of this chapter."

PART 214—NONIMMIGRANT CLASSES

§ 214.1 [Amended]

1. Paragraph (a) *General* of § 214.1 *Requirements for admission, extension, and maintenance of status* is amended by inserting the following three sentences after the existing third sentence: "If failure to file a timely application is found to be excusable, an extension may be granted from the time of expiration of authorized stay. When because of reasons beyond his control, or special circumstances, an alien needs an additional period of less than 30 days beyond his authorized stay within which to effect his departure, he may be granted such time without filing an application for extension. Extensions to members of a family group shall be for the same period; if one member is eligible for only a six-month extension and another for a twelve-month extension, the shorter period shall govern."

§ 214.2 [Amended]

2. Paragraph (b) *Visitors* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended by adding the following sentence at the end thereof: "Except for the spouse or child of an alien having status under section 101(a)(15)(H) of the Act, a personal interview is required before an extension of stay beyond one year from the date of admission may be granted to a B–2 visitor."

3. Subparagraph (1) *General* of paragraph (f) *Students* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended by inserting the following sentence before the existing last sentence: "However, a Canadian national, or an alien landed immigrant of Canada who has a common nationality with Canadian nationals, returning to the United States as a student under section 101(a)(15)(F) of the Act after a temporary absence in Canada only, shall if otherwise admissible be readmitted, without presentation of Form I–20, for the remainder of his initial admission or current extension of stay as shown on his Form I–94."

4. Subparagraph (2) *Extension* of paragraph (f) *Students* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended by adding the following sentence at the end thereof: "A student who has been compelled by illness to interrupt his schooling may be granted an extension of stay without being required to change his nonimmigrant status if he establishes that he will resume a full course of study after treatment."

5. Subparagraph (3) *Employment* of paragraph (f) *Students* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended by inserting the following sentence after the existing tenth sentence: "A student who has been granted permission to accept employment for practical training and who temporarily departs from the United States, may be readmitted for the remainder of the authorized period if he presents Form I–20 endorsed by his school to indicate the date to which such training was authorized by the district director."

6. Paragraph (j) of § 214.2 is amended by inserting the heading "(1) *General*" preceding the existing text and by adding new subparagraph (2) to read as follows:

(j) *Exchange aliens*—(1) *General.* * * *

(2) *Aliens in cancelled programs.* When an exchange visitor program is cancelled by the Department of State a notification of the cancellation shall be sent by the district director to each participant in the program. The participant shall be informed that he may remain in the United States in his present status to continue his activities in the cancelled program until the date of expiration of his currently authorized stay and that he must terminate his participation in that program by that date. A copy of the notification to the alien shall be sent to the sponsor of the cancelled program. Where extension of the alien's stay will not exceed the time limitation on the type of program in which he is engaged, he shall also be informed that he may apply for an extension if he is accepted as a participant in another approved exchange program and submits Form DSP–66 executed by his new program sponsor. In such case, a release by the sponsor of the cancelled program shall not be required.

PART 215—CONTROLS UPON DEPARTURE OF PERSONS FROM AND ENTRY INTO THE UNITED STATES

Part 215 is added to read as follows:

§ 215.1 General.

Pursuant to Presidential Proclamation No. 3004 of January 17, 1953, the provisions of section 215 of the Act are in force and effect. The travel controls imposed upon citizens of the United States in time of war or national emergency are contained in 22 CFR Part 53. The controls imposed upon aliens departing from the United States are contained in 22 CFR Part 46.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interprets or applies sec. 215, 66 Stat. 190; 8 U.S.C. 1185)

PART 221—ADMISSION OF VISITORS OR STUDENTS

Section 221.1 is amended to read as follows:

§ 221.1 Admission under bond.

The district director having jurisdiction over the intended place of residence of an alien may accept a bond on behalf of an alien defined in section 101(a)(15)(B) or (F) of the Act prior to the issuance of a visa to the alien upon receipt of a request directly from a U.S. consular officer or upon presentation by an interested person of a notification from the consular officer requiring such a bond. Upon acceptance of such a bond, the district director shall notify the United States consular officer who requested the bond, giving the date and place of acceptance and amount of the bond. All bonds given as a condition of admission of an alien under section 221(g) of the Act shall be executed on Form I–352. For procedures relating to bond riders, acceptable sureties, cancellation, or breaching of bonds, see Part 103 of this chapter.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interprets or applies secs. 101, 221, 66 Stat. 166, 191; 8 U.S.C. 1101, 1201)

PART 223—REENTRY PERMITS

§ 223.1 [Amended]

The following sentence is inserted between the existing third and fourth sentences of § 223.1 *Application:* "Additional pages for the affixation of foreign visas may be attached to a valid reentry permit without formal application or fee."

PART 231—ARRIVAL-DEPARTURE MANIFESTS AND LISTS; SUPPORTING DOCUMENTS

1. Section 231.1 is amended by adding paragraph (d) to read as follows:

§ 231.1 Arrival manifests for passengers.

* * * * *

(d) *Preparation of Arrival-Departure Card, Form I–94.* When used either as an attachment to an arrival manifest on Form I–418 or as the basic arrival manifest document, the set of Forms I–94 presented for each alien passenger, except an immigrant, a Canadian citizen, or a British subject residing in Canada or Bermuda, shall be completely executed. For a U.S. citizen, an immigrant, a Canadian citizen, or a British subject residing in Canada or Bermuda,

only the first four lines of the Form I–94 shall be completed. The Alien Registration Number shall be substituted for "passport number" on the Form I–94 presented for a returning lawful permanent resident of the United States.

2. Section 231.2 is amended by adding paragraph (c) to read as follows:

§ 231.2 Departure manifests for passengers.

* * * * *

(c) *Departure Forms I–94.* When used either as an attachment to a departure manifest on Form I–418 or as the basic departure manifest, the Form I–94 executed on its face to reflect the items required by § 231.1(d) for each class of arriving passengers, shall have the "departure record" information endorsed on the reverse by the carrier.

3. Section 231.3 is added to read as follows:

§ 231.3 Exemptions for private vessels and aircraft.

The provisions of this part relating to the presentation of arrival and departure manifests shall not apply to a private vessel or private aircraft not engaged directly or indirectly in the carriage of persons or cargo for hire.

PART 234—PHYSICAL AND MENTAL EXAMINATION OF ARRIVING ALIENS

Part 234 is added to read as follows:

Sec.
234.1 General.
234.2 Examination of aliens in the United States by civil surgeons when medical officers of the United States Public Health Service are not available.

AUTHORITY: The provisions of this Part 234 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interprets or applies sec. 234, 66 Stat. 198; 8 U.S.C. 1224.

§ 234.1 General.

The manner in which the physical and mental examination of aliens shall be conducted is set forth in 42 CFR Part 34.

§ 234.2 Examination of aliens in the United States by civil surgeons when medical officers of the U.S. Public Health Service are not available.

(a) *Selection.* Whenever an alien presently in the United States files an application for a benefit under the immigration laws and a medical examination is required, it shall be conducted by a medical officer of the U.S. Public Health Service; however, if the alien resides in a locality where a medical officer of the U.S. Public Health Service is not available and such an officer is not located within a reasonable distance, the medical examination may be performed by a civil surgeon. Such a civil surgeon, who shall be a licensed physician and who shall have had not less than 4 years' professional experience, is to be selected by the district director having jurisdiction over the area of the alien's residence. Officers of county medical societies shall be consulted to obtain the names of competent surgeons willing to make the examinations. An understanding shall be reached with respect to the fees which the surgeon will charge for the medical examination, X-ray of chest, and blood test for syphilis. The fees agreed upon shall be paid by the alien directly to the surgeon making the examination. When practicable, only one surgeon shall be selected in a locality. If it is known that a civil surgeon is performing medical examinations of aliens under contract with the U.S. Public Health Service, he shall be selected, if possible, and any fee charged by such a surgeon shall also be paid directly by the alien.

(b) *U.S. Public Health Service hospital and outpatient clinic reports.* The examination of aliens at U.S. Public Health Service hospitals and outpatient clinics will be performed in accordance with the instructions and regulations contained in the "Manual for Medical Examination of Aliens." The results of the examinations will be recorded on Forms FS–398, Medical Examination of Visa Applicant, in duplicate, with notification of Class A, B, or C conditions. If Class A, B, or C conditions are present, a Medical Certificate, Form PHS–124(FQ) will also be issued. The original Forms FS–398 and PHS–124(FQ), if indicated, will be returned to the immigration officer by whom the alien was referred. The copy of Forms FS–398 and PHS–124(FQ) will be sent to the Medical Officer in Charge, U.S. Quarantine Station, Rosebank, Staten Island, N.Y. 10305, where a central file of these cases will be maintained.

(c) *Civil surgeon reports.* The medical examination of aliens by civil surgeons will be performed in accordance with the instructions and regulations contained in the "Manual for Medical Examination of Aliens." The results of the examinations will be recorded on Form FS–398, in duplicate. The completed Forms FS–398 with X-ray and other pertinent laboratory reports will be returned to the immigration officer by whom the alien was referred; that officer will forward the completed Forms FS–398, X-ray and other pertinent laboratory reports to the Medical Officer in Charge, U.S. Quarantine Station, Rosebank, Staten Island, N.Y. 10305. The findings of that Medical Officer in Charge shall then be awaited concerning the alien's physical and mental condition.

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

1. The heading of Part 235 is amended to read as set out above.

2. Section 235.1 is amended to read as follows:

§ 235.1 Scope of examination.

(a) *General.* All persons seeking to enter the United States shall make application in person to an immigration officer at a U.S. port of entry enumerated in Part 100 of this chapter at a time when an immigration office at the port is open for inspection.

(b) *U.S. citizens.* A person claiming U.S. citizenship must establish that fact to the examining immigration officer's satisfaction and must present a U.S. passport if such passport is required under the provisions of 22 CFR Part 53. If such an applicant for admission fails to satisfy the examining immigration officer that he is a U.S. citizen, he shall thereafter be inspected as an alien.

(c) *Alien members of U.S. Armed Forces and members of a force of a NATO country.* An alien member of the U.S. Armed Forces who is in the uniform of, or bears documents identifying him as a member of, such Armed Forces, and who is coming to or departing from the United States under official orders or permit of such Armed Forces is not subject to the exclusion provisions of the Act and a member of the force of a NATO country signatory to Article III of the Status of Forces Agreement seeking to enter the United States under official orders is exempt from the control provisions of the Act. An alien who is a member of either of the foregoing classes may, upon request, be inspected under the provisions of the Act by an immigration officer and if found admissible under the provisions of the Act, his entry as an alien shall be recorded. If such an alien does not appear to the examining immigration officer to be clearly and beyond a doubt entitled to enter the United States under the provisions of the Act, the alien shall be so informed and his entry shall not be recorded.

(d) *Qualifications for aliens.* The following general qualifications and requirements shall be met by an alien seeking to enter the United States regardless of whether he seeks to enter for permanent, indefinite, or temporary stay, and regardless of the purpose for which he seeks to enter: He shall present whatever documents are required and shall establish to the satisfaction of the immigration officer that he is not subject to exclusion under the immigration laws, Executive orders, or Presidential Proclamations and is entitled under all of the applicable provisions of the immigration laws and this chapter to enter the United States. For the purpose of this part, any coming to a U.S. port from a foreign port, from an outlying possession of the United States, from Guam, Puerto Rico, or the Virgin Islands of the United States or from another port of the United States at which examination under this part was not completed shall be regarded as an arrival. Any person, including an alien crewman, passing through the Canal Zone on board a vessel which enters and clears at the Canal Zone port only to transit the Zone, to refuel, or to land passengers or crewmen for medical treatment, shall not be regarded as coming from a foreign port solely by reason of such passage. Any person, including an alien crewman, on board a vessel which after arrival at a U.S. port of entry passes the Great Lakes seaway en route to another U.S. port and which enters and clears at points in Canada only to transit the seaway, to refuel, or to land passengers or crewmen for medical treatment, shall not be regarded as coming from a foreign port solely by reason of

such passage. Any person, including an alien crewman, on board a vessel en route from one U.S. port to another U.S. port shall not be regarded as coming from a foreign port solely by reason of the vessel's stop at Freeport, Bahamas, for bunkering only.

(e) *Canadian nationals and other residents of Canada having a common nationality with Canadians entering the United States by small craft.* Upon being inspected and found eligible for admission as a temporary visitor for pleasure by an immigration officer, a Canadian national or other resident of Canada having a common nationality with Canadians who desires to enter the United States from Canada in a small pleasure craft of less than 5 net tons without merchandise to make visits of less than 24 hours to the immediate shore area of the United States bordering on lakes and rivers lying between the United States and Canada may be issued, without application or fee, Form I–68, Canadian Border Boat Landing Card, and may thereafter be permitted to make visits of less than 24 hours to the immediate shore area of the United States on the body of water designated on the Form I–68, from time to time for the duration of that navigation season without further inspection. If the bearer of Form I–68 seeks to enter the United States by means other than small pleasure craft of less than 5 net tons without merchandise, or if he seeks to enter the United States for other purposes, or to proceed inland from the immediate shore area of the United States, he must apply for admission at a U.S. port of entry.

(f) *Arrival-Departure Card, Form I–94.*—(1) *Nonimmigrant applicants.* A completely executed Form I–94 endorsed to show date and place of admission, period of admission, and nonimmigrant classification shall be issued to each nonimmigrant alien admitted to the United States except a nonimmigrant alien coming within the provisions of § 212.1(a) of this chapter who is admitted as a visitor for business or pleasure or to proceed in direct transit through the United States and a Mexican national in possession of a valid Form I–186 who is admitted as a border crosser to visit for a period of 72 hours or less in an area within 150 miles of the Mexican border. A Form I–94 valid for any number of entries during a specified 6-month period may be issued to a nonimmigrant alien who will have occasion to make frequent entries into the United States over the land borders.

(2) *Paroled aliens.* An alien paroled into the United States pursuant to the provisions of section 212(d)(5) of the Act, including an alien crewman, shall be issued a completely executed Form I–94 endorsed to show the date and place of parole, the period for, and conditions under which the alien was paroled into the United States.

3. Section 235.3 is amended to read as follows:

§ 235.3 Detention.

(a) *Prior to inspection.* All persons arriving at a port in the United States by vessel or aircraft shall be detained aboard the vessel or at the airport of arrival by the master, commanding officer, purser, person in charge, agent, owner, or consignee of such vessel or aircraft until admitted or otherwise permitted to land by an officer of the Service. Notice or order to so detain shall not be required.

(b) *Detention after inspection.* If a passenger on an arriving vessel or aircraft is not admitted, or otherwise permitted to land, by the examining immigration officer, the agent for the vessel or aircraft and the master or commanding officer, if available, shall be notified by means of service of Form I–259 made in person immediately upon completion of the immigration inspection. The Form I–259 shall list the names of each passenger not admitted or otherwise permitted to land and shall contain instructions as to the date and place the alien is to be delivered for further proceedings under the Act.

§ 235.8 [Amended]

4. Paragraph (a) *Report* of § 235.8 *Temporary exclusion* is amended by inserting the following sentence after the existing first sentence to read as follows: "The immigration officer shall, if possible, take a brief sworn question and answer statement from the alien, and the alien shall be served personally or by registered mail with a notice on Form I–147 of the action taken and the right to make written representations."

§ 235.9 [Amended]

5. Paragraph (c) *Application* of § 235.9 *Conditional entries* is amended by inserting the following three sentences after the existing first sentence to read as follows: "An application for conditional entry filed by an alien who can qualify as an immediate relative or as a special immigrant shall be rejected. An applicant who appears to be eligible for classification under section 203(a) (1), (2), (3), (4), or (5) of the Act shall be advised, but not required, to seek such classification if a visa number is available. An applicant for whom a nonpreference visa number is available and who is not coming to the United States to perform skilled or unskilled labor shall be advised but not required to apply for a nonpreference immigrant visa."

6. Section 235.10 is added to read as follows:

§ 235.10 U.S. Citizen Identification Cards.

To facilitate entry over the Canadian land border, a citizen and resident of the United States may apply at any district office for a U.S. Citizen Identification Card, Form I–197. To facilitate identification by immigration officers, a citizen and resident of the United States may apply at a district office in San Antonio, Tex.; El Paso, Tex.; Los Angeles, Calif.; San Francisco, Calif.; Phoenix, Ariz.; or Port Isabel, Tex., for an Identification Card, Form I–179. The application for either card shall be made on Form I–196, accompanied by the fee required under § 103.7 of this chapter and one photograph 1½ inches by 1½ inches, and, in the case of a U.S. citizen who was not born in the United States, a certificate of naturalization or citizenship.

PART 236—EXCLUSION OF ALIENS

§ 236.2 [Amended]

1. Paragraph (a) of § 236.2 is amended by adding the following two sentences at the beginning thereof:

(a) *Opening.* Exclusion hearings shall be closed to the public, unless the alien at his own instance requests that the public, including the press, be permitted to attend; in that event, the hearing shall be open, provided that the alien states for the record that he is waiving the requirement in section 236 of the Act that the inquiry shall be kept separate and apart from the public. When the hearing is to be open, depending upon physical facilities, reasonable limitation may be placed upon the number in attendance at any one time, with priority being given to the press over the general public. * * *

2. Paragraph (c) of § 236.2 *Hearing* is amended to read as follows:

(c) *Trial attorney.* The district director shall assign a trial attorney to every case in which the appellant's nationality is in issue or in which the special inquiry officer requests such assignment. In his discretion the district director may assign a trial attorney to any case in which he deems such assignment necessary or advantageous. The duties of the trial attorney shall include, but are not limited to, the presentation of evidence and the interrogation, examination, and cross-examination of the applicant and other witnesses. Nothing contained herein shall be construed to diminish the authority conferred upon the special inquiry officer in conducting proceedings under this part.

3. Section 236.3 is amended by adding a paragraph (d) to read as follows:

§ 236.3 Decision of the special inquiry officer; notice to the applicant.

* * * * *

(d) *Advice to alien ordered excluded.* An alien ordered excluded shall be furnished with Form I–296, Notice to Alien Ordered Excluded by Special Inquiry Officer, at the time of an oral decision by the special inquiry officer or upon service of a written decision.

4. Section 236.4 is amended to read as follows:

§ 236.4 Finality of order.

The order of the special inquiry officer shall be final except when a case has been certified as provided in Part 3 or Part 103 of this chapter, or when an appeal is taken to the Board of Immigration Appeals. A special inquiry officer shall have authority to certify his decision in any case to the Board of Immigration Appeals when it involves an unusually complex or novel question of law or fact. When the order of the special inquiry officer is to admit the applicant, the special inquiry officer shall place him on notice that the decision is subject to appeal by the district director as provided in § 236.5(c).

PART 238—CONTRACTS WITH TRANSPORTATION LINES

Part 238 is amended to read as follows:

Sec.
238.1 Contracts.
238.2 Transportation lines bringing aliens to the United States from or through foreign contiguous territory or adjacent islands and lines bringing aliens destined to the United States into such territory or islands.
238.3 Aliens in immediate and continuous transit.
238.4 Preinspection outside the United States.

AUTHORITY: The provisions of this Part 238 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interprets or applies sec. 238, 66 Stat. 202; 8 U.S.C. 1228.

§ 238.1 Contracts.

The contracts with transportation lines referred to in section 238(a) of the Act shall be made by the regional commissioner in behalf of the government and shall be on Form I–421. The contracts with transportation lines referred to in section 238(b) of the Act shall be made by the regional commissioner in behalf of the government and shall be on Form I–420. The contracts with transportation lines referred to in section 238(d) of the Act shall be made by the Commissioner in behalf of the government and shall be on Form I–426. The contracts with transportation lines desiring their passengers and crews preinspected at places outside the United States shall be made by the Commissioner in behalf of the government and shall be on Form I–425.

§ 238.2 Transportation lines bringing aliens to the United States from or through foreign contiguous territory or adjacent islands and lines bringing aliens destined to the United States into such territory or islands.

(a) *Land-border agreements and overseas agreements.* Forms I–420 and I–421 shall be signed in duplicate and forwarded to the regional counsel. After acceptance, the district office and the signatory line shall be furnished with one copy of the agreement. The transmittal letter to the regional commissioner shall indicate whether the signatory to the agreement is a subsidiary or affiliate of a line which has already signed a similar agreement. Correspondence regarding ancillary contracts for office space and other facilities to be furnished by transportation lines at Service stations in Canada shall be similarly handled. Forms I–420 or I–421 shall not be used to cover special situations; instead, the facts shall be presented to the regional commissioner in order that an appropriate agreement may be drafted. If humane considerations are involved, the Service maintains inspection facilities, and neither the alien nor the transportation line could have foreseen that application for admission to the United States would be made within 2 years, a nunc pro tunc agreement may be entered into on Form I–421 appropriately modified by adding the following paragraph:

5. That the provisions of this agreement shall be effective only to the extent that they concern ---------- who arrived at ---------- on ---------- on the ---------- ----------

(b) *Agreements with transportation lines*—(1) *Canada.* Currently effective agreements on Form I–421 (Rev. 6–29–58) exist with the following transportation lines regarding arrivals in Canada pursuant to section 238(a) of the Act:

Ab Atlanttrafik Line.
Achille Lauro Armatore (Lauro Lines) (see Home Lines Agency, Inc.).
Ahrenkiel & Bene.
Air France (Compagnie Nationale Air France—French National Airline).
Aktieselskabet Borgestad.
Alaska Coastal-Ellis Airlines.
Alexandria Navigation Co.
Alfred C. Toepfer Schiffahrtsgesellschaft, M.G.H.
Alfred Hold & Company.
American Export Lines, Inc.
American Mail Line, Ltd.
And. Smith Rederiaktiebolag.
Arosa Line, Inc.
Baltic Steamship Co., The.
Belgian Line (Compagnie Maritime Belge).
Messrs. Bernhard Schulte.
The Booth Steamship Company, Ltd.
The Bristol City Line of Steamships, Ltd.
British Overseas Airways Corporation.
The Cairn Line of Steamships, Ltd.
Caledonian Airways (Prestwick), Ltd.
Canadian Pacific Airlines.
Canadian Pacific Steamships, Ltd.
China Merchants Steam Navigation Co., Ltd.
China Union Lines, Ltd.
Christensen Canadian African Lines.
Columbus Line.
Compagnie Maritime Belge (see Belgian Line).
Compagnie Nationale Air France (see Air France).
Corporacion Peruana de Vapores.
County Line, Ltd.
Cunard Steam-ship Co., Ltd.
Daido Kaiun Kaisha, Ltd. (Daido Line).
Det Danak-Franske Dampskibsselskab.
Det Forenede Dampskibs-Selskab of Copenhagen.
Deutsche Lufthansa Aktiengesellschaft (Lufthansa German Airlines).
Ditlev-Simonsen Lines (General Steamship Corp., Ltd.).
Donaldson Line, Ltd.
East Asiatic Company, The.
Egon Oldendorff Steamship Co.
Eikland & Salamis (I. M. Skaugen Shipowners).
El Al Israel Airlines.
Elder Dempster Lines, Ltd.
Ellerman & Bucknall Steamship Co., Ltd.
Ellerman's Wilson Line.
Ernst Russ Reiderei.
Europe-Canada Line.
Farmand Shipping, Inc.
Fearnley & Eger, Inc.
Federal Motorship Corp.
Fjell Line.
Fredrik Hoyer, Skein, Norway.
French Line.
Fruit Express Line.
Furness Withy & Co., Ltd. (including Furness Warren Line, Furness Red Cross Line, Furness Prince Line).
Gestioni Esercizio Navi.
Greek Line (General Steam Navigation Company of Greece, Ltd.).
Grimaldi Siosa Lines of Canada.
Gdynia America Line, Inc.
Halcyon Lijn N. V.
Hamburg-Amerika Linie.
Hamburg-Atlantik Linie G.m.b.H. (see Home Lines Agency, Inc.).
Hamburg Chicago Line (designation of a service operated by independent signatory lines A. Kirsten, Sartori & Berger and Ahrenkiel & Bene).
Hanseatische Reederei, Emil Offen & Co.
Head Line (see Ulster Steamship Co., Ltd.).
Heimdal Steamship Co., Ltd.
Heinrich Schmidt, G.M.B.H.
Holland-America Line.
Homes Lines Agency, Inc., as agents for Home Lines, Inc., National Hellenic American Line, S.A., Achille Lauro Armatore (Lauro Lines), and Hamburg-Atlantik Linie G.m.b.H.
Hugo-Stinnes Zweigniederlassung, Brennstoffeisen und Schiffahrts Gesellschaft.
Incres Steamship Co., Ltd.
Interocean Line.
Interocean Marine, Ltd.
Irish Shipping, Ltd.
Island Navigation Co., Tokyo.
"Italia" Societa Di Navigazione (Italian Line).
Johnson Line.
Johs. Fritzen & Sohn.
A. Kirsten.
A. F. Klaveness & Co. A/S.
Knutsen Line.
Koninklijke Luchtvaart Maatschappij N. V. (K.L.M. Royal Dutch Airlines).
Lamport & Holt Line, Ltd.
J. Lauritzen Line.
Lauro Lines (see Home Lines Agency, Inc.).
Leif Hoegh & Co. A/S.
Lord Line (see Ulster Steamship Co., Ltd.).
Lovenskiold Og Hoyers Rederi (formerly Sameiet Fossum A/S).
Lufthansa German Airlines (see Deutsche Lufthansa Aktiengesellschaft).
Lunham & Moore Shipping, Ltd.
Manchester Liners, Ltd.
Maritime Central Airways, Ltd.
Montship Lines, Ltd.
N. V. Maatschappij Zeevaart.
N. V. Stoomboot-Maatschappij "Hillegersberg".
National Hellenic American Line, S.A. (see Home Lines Agency, Inc.).
Netherland Line (Nederland).
Netherlands Ministry of Transport & Waterstaat Directorate-General of Shipping.
Nihonkai Kisen Kabushiki Kaisha (Pacific Ocean Line).
Nippon Yusen Kaisha (N.Y.K. Line).
Nissan Kisen Kaisha, Ltd.
Norddeutscher Lloyd (North German Lloyd).
Nordstern Reederei G.m.b.H. and C. Mackprang, Jr.
Northwest Airlines, Inc.
Norwegian American Line.
The Oceanic Steamship Co. (Matson Navigation Co.).
Oranje Line (Maatschappij Zeetransport N. V.).
Orient Steam Navigation Co. (Orient & Pacific Lines or Peninsular & Oriental Steam Navigation Co.).
Osaka Shosen Kaisha, Ltd. (Williams, Dimond & Co., authorized Agents).
Ove Skou.
Pacific Islands Transport Line.
Pacific Shipowners, Ltd.
Pacific Western Airlines.
Pan American World Airways System.
Pehrson & Wessel.
Port Line, Ltd.
Poseidon Lines.
Qantas Empire Airways, Ltd.
Rederiaktiebolaget Ragne.
Rodney Steamship Co., Ltd.
Royal Air Force Transport Command of the British Air Ministry.
Royal Mail Lines, Ltd.
Royal Rotterdam Lloyd (Lloydmail).
Sabena Belgian World Airlines.
Sameiet Fossum A/S (Now Lovenskiold Og Hoyers Rederi).

Sartori & Berger.
Scandinavian Airlines System, Inc.
Schulte & Bruns.
Shinnihon Steamship Co., Ltd.
States Steamship Co.
Stoomvaart M. C. Oostzee, Directors: Vinke & Co.
Swedish American Line.
Swiss Air Transport Co., Ltd., Swissair.
Swiss (Suisse) Atlantic S.A.
Taiwan Navigation Company, Ltd.
Trans Canada Air Lines.
Transmaris, Ltd.
Ulster Steamship Co., Ltd., The (Head Line and Lord Line).
Union Steam Ship Co. of New Zealand, Ltd.
United States Lines.
USSR—Aeroflot, The Ministry of Civil Aviation of the.
H. Vogemann.
Wallenius Line.
Watts, Watts, & Co., Ltd.
Westfal-Larsen Line.
Wrangell, H. M., & Co.
YNGVAR HVISTENDAHL (Scandia Shipping Agencies, Ltd.).
Zim-Israel America Lines.
Zim-Israel Navigation Co., Ltd.

(2) *Bermuda.* Currently effective agreements on Form I-421 (Rev. 6-29-58) exist with the following transportation lines regarding arrivals in Bermuda pursuant to section 238(a) of the Act:

British Overseas Airways Corp.
Guest Aerovias Mexico, S.A.
Iberia Airlines.
Linea Aeropostal Venezolana.

§ 238.3 Aliens in immediate and continuous transit.

(a) *Form I-426 agreements.* A transportation line bringing aliens to the United States pursuant to § 212.1(e)(1) of this chapter shall enter into an agreement on Form I-426. Such agreements shall be negotiated directly by the Central Office and the head offices of the transportation lines.

(b) *Signatory lines.* Currently effective agreements on Form I-426 exist with the following:

Achille Lauro—Armatore, Naples, Italy.
Aerlinte Eireann Teoranta (Irish Air Lines).
Aerolineas Argentinas.
Aerolineas INI and CIA S.A.
Aerolineas Peruanas, S.A.
Aeronaves de Mexico, S.A.
Aerovias Interamericanas de Panama, S.A. (Aerovias Panama Airways).
Aerovias Nacionales de Colombia (AVIANCA).
Aerovias Venezolanas, S.A. (AVENSA).
Air-India International Corp.
Air Jamaica, Ltd.
Air New Zealand, Ltd.
"ALCIONE", Soc. di Navigazione p. A., Palermo.
Alfred C. Toepfer Schiffahrtsgesellschaft M.B.H.
American Airlines, Inc.
American Banner Lines, Inc.
American Export Lines, Inc.
American Flyers Airline Corp.
American International Airways, Inc.
American President Lines, Ltd.
AREA, Aerovias Ecuatorianas C. Ltda.
"ARETUSA", Soc. di Navigazione p. A., Palermo.
Argonaut Airways Corp.
Arosa Line, Inc., "Panama."
Athina Maritime Co., Ltd.
Atlantic Freighters, Ltd.
Atlantic Oil Carriers, Ltd.
Atlantic Tankers, Ltd.
Bahamas Airways, Ltd.
Blue Star Line, Inc., The.
Braniff Airways, Inc.
Brasalian International Airlines (Real-Aerovias Brasil, S.A.).
British Car Carriers, Ltd., and Nerdrum Lines.
British Eagle International Airlines, Ltd.
British Overseas Airways Corp.
British West Indian Airways, Ltd.
Brodin Line.
Caledonian Airways (Prestwick), Ltd.
Canadian National Railway Co.
Canadian Pacific Air Lines, Ltd.
Canadian Pacific Railway Co.
Capitol Airways, Inc.
Caribbean Atlantic Airlines, Inc.
Chandris (USA) Inc., as agents for Chandris Lines.
Chandris (USA) Inc., as agents for Mariblanca Navegacion S.A. and Compania Panamena Europea Navegacion Ltda. S.A.
China Merchants Steam Navigation Co., Ltd.
China Union Lines, Ltd.
Compagnia Genovese di Armamento.
Compagnie Generale Transatlantique (French Line).
Compagnie Nationale Air France.
Compagnie de Transports Aeriens Intercontinentaux.
Companhia Colonial de Navegacao.
Compania Cubana de Aviacion, S.A.
Compania Dominicana de Aviacion, C. por A.
Compania Ecuatoriana de Aviacion, S.A.
Compania Mexicana de Aviacion, S.A. (CMA).
Compania Nacional de Turismo Aereo Limitada.
Compania Transatlantica Espanola, S.A.
Cunard Steamship Company, Ltd.
Daido Kaiun Kaisha, Ltd. (Daido Line).
Daiwa Navigation Co., Ltd., The.
Delaware and Hudson Railroad Corp.
Delta Air Lines, Inc.
A. Demades & Owners—SS AXIOS
Den Norske Amerikalinje A/S (See Norwegian America Line).
Ditlev-Simonsen Lines.
Dominion Navigation Co., Ltd.
Eastern Airlines, Inc.
El Al Israel Airlines.
"ELIOS", Soc. di Navigazione p. A., Palermo.
Ellerman's Wilson Line, Ltd.
S.A. Empresa de Viacao Aerea Rio Grandense (Varig Airlines).
Empresa Guatemalteca de Aviacion.
Epirotiki Lines, Inc.
"ERICE", Soc. di Navigazione p. A., Palermo.
Eugenie Maritime Co., Ltd.
Europe-Canada Line.
EXPRINTER (SUCRS, S.A.).
Facilities Management Corp.
Fern-Ville Lines.
Fiesta Cruise Lines, Inc.
Flugfelag Islands, H.F. (Iceland Airways).
Flying Tiger Line Inc., The.
Furness-Withy and Co., Ltd.
General Airways, Inc.
General Steam Navigation Co., Ltd., of Greece—Greek Line.
Giacomo Costa fu Andrea (Linea "C"), Genoa.
Global Chartering & Brokerage Co., Inc.
Globe Air Ltd., Basel, Switzerland.
Great Eastern Line.
Grey Goose Bus Lines, Ltd.
Grimaldi Siosa Lines Joint Service.
Guest Aerovias Mexico, S.A.
Hamburg American Line.
Holland-America Line.
Home Lines Agency Inc., as agent for Home Lines Inc., and Hamburg-Atlantik Linie, G.m.b.H. & Co.
Horn-Linie.
Hugo Stinnes Transocean Schiffahrts, gmbh, Mulheim-Ruhr, Germany.
Iberia Lineas Aereas Espansolas.
Icelandic Airlines, Inc. (Loftleidir, H.F.).
Iino Kaium Kaisha, Ltd.
Indo-China Steam Navigation Co., Ltd., The.
Intercontinental, U.S., Inc.
International Aircraft Services, Inc.
International Airlines, Inc.
Interocean Airways, S.A., Luxembourg.
Italian Line, "Italia" Societa per Azioni di Navigazione, Genoa.
Japan Airlines Co., Inc.
Kawasaki Kisen Kaisha, Ltd.
Klaveness Line.
Koninklijke Luchtvaart Maatschappij N. V. (K.L.M. Royal Dutch Airlines).
Korean National Airlines.
Kulukundis Shipping Agency, Inc.
Laeisz, F., Hamburg, Germany.
Linea Aerea Nacional, Chile.
Linea Aeropostal Venezolana (LAV).
Lineas Aereas Costarricenses, S.A. (LACSA).
Lineas Aereas de Nicaragua, S.A.
Lineas Aereas Taxader S.A.
Linee Aeree Italiane (ALITALIA).
Livanos Maritime Co., Ltd.
Lufthansa German Airlines (Deutsche Lufthansa Aktiengesellschaft).
Mackey Airlines, Inc.
Marchessini Lines.
Marine Mercante Nicaraguense, S.A. (Mamenic Line).
Maritime Central Airways, Ltd.
Maritime Company of the Philippines.
Martin's Air Charter Co., Ltd.
McCormick Shipping Corp.
"MEGRA" Soc. di Navigazione p. A., Palermo.
Mitsui Steamship Co., Ltd.
N. V. Scheepvaart Maatschappij "Trans-Ocean" (Trans-Ocean Steamship Co.).
Naess Shipping Co., Inc.
National Airlines, Inc.
NATUMEX Lines—Naviera Turistica Mexicana S.A.
Naviera Aznar Sociedad Anonima.
Nederland Line.
Netherlands Ministry of Transport and Waterstaat Directorate-General of Shipping.
New York Central Railroad Co.
New Zealand Shipping Co., Ltd., Norton, Lilly & Co., Inc., General Agents.
Nihonkai Kisen Kaisha.
Nippon Yusen Kaisha (N.Y.K. Line).
Northeast Airlines, Inc.
North German Lloyd Passenger Agency, Inc.
Northwest Airlines, Inc.
Norwegian America Line (Den Norske Amerikalinje A/S).
Ocean Cargo Line, Ltd.
Ocean Tanker Line, Ltd. (Lavino Shipping Co., Philadelphia, Agents).
Ocean Tankers, Ltd.
Oceanic Steamship Co., The
Olsen Line, Fred (Fred Olsen & Co.).
Olympic Airways, S.A.
Ontario Central Airlines, Ltd.
Orient Steam Navigation Co., Ltd.
Osaka Shosen Kaisha, Ltd.
Overseas National Airways.
Ozean/Stinnes Linien.
Pacific Australia Direct Line.
Pacific Far East Line, Inc.
Pacific Islands Transport Line A/S THOR DAHL.
Pacific Micronesian Line, Inc.
Pacific Ocean Line.
Pacific Shipowners, Ltd., Suva, Fiji.
Pacific Steam Navigation Co.
Pacific Western Airlines, Ltd.
Pakistan International Airlines Corp.
Pan American-Grace Airways, Inc.
Pan American World Airways, Inc.
Panoceanic Tanker Line, Ltd.
Peninsular & Occidental Steamship Co.
Peninsular & Oriental Steam Navigation Co.
Philippine Air Lines.
"POLINNIA" Soc. di Navigazione p. A., Palermo.
President Airlines, Inc.
Qantas Empire Airways, Ltd.
REAL S/A—Transportes Aereos.
Rederiaktiebolaget Nordstjernan (Johnson Line), Stockholm.
Riddle Airlines, Inc.
Royal Mail Lines, Ltd.
Royal Netherlands Steamship Co.
Royal Rotterdam Lloyd.
Sabena Belgian Air Lines.

Sahsa Honduras Airlines.
Saturn Airways, Inc.
Scandinavian Airlines System, Inc.
Scindia Steam Navigation Co., Ltd.
Seven Seas Airlines, Inc.
Shinwa Kaiun Kaisha, Ltd.
Showa Shipping Co., Ltd.
Sicula Oceanica, S.A. (SIOSA Lines).
Societa Italiana di Armamento "SIDARMA".
Societa Italiana Transporti Marittimi of Genoa (Sitmar Line).
South Pacific Air Lines.
Southern Air Transport, Inc.
Standard Airways, Inc.
States Steamship Co.
Swedish American Line.
Swiss Air Transport Co., Ltd. (SWISSAIR).
TACA International Airlines, S.A.
Taiwan Navigation Co., Ltd.
Theofano Maritime Co., Ltd.
Transatlantic Steamship Co., Ltd. (Rederiaktiebolaget Transatlantic).
Trans-Canada Air Lines.
Trans Caribbean Airways, Inc.
Transcontinental S.A. de Transportes C. H.
Trans International Airlines, Corp.
Trans Meridian Flying Services, Ltd.
Transglobe Airways, Ltd.
Transocean Airlines.
Transportation Corp. of America (Trans Caribbean Airways).
Transportes Aereos Nacionales, S.A. (TAN Airlines).
Trans World Airlines, Inc.
Trent Maritime Co., Ltd.
Triton Shipping, Inc.
Twentieth Century Airlines.
United Air Lines, Inc.
United Philippine Line.
United States Lines, Inc.
United States Overseas Airlines, Inc.
United White Shipping Co., Ltd.
Venezuelan International Airlines, Inc.
Western Airlines.
Westfal Larsen Line.
White Star Maritime Co., Ltd.
Winchester, J. H., & Co., as agents for Costa Line.
World Airways, Inc.
Yamashita Steamship Co., Ltd.
Ybarra & Co., Inc.
Zim Israel Navigation Co., Ltd.

§ 238.4 Preinspection outside the United States.

The following transportation lines have entered into agreements on Form I-425 for the preinspection of their passengers and crews at places outside the United States:

AT BERMUDA

Air Venturers of Houston, Inc.
American Flyers Airline Corp.
British Overseas Airways Corp.
Capitol Airways, Inc.
Eastern Air Lines, Inc.
Flying Tiger Line Inc., The.
Furness, Withy and Co., Ltd.
Guest Aerovias Mexico, S.A.
Pan American World Airways, Inc.
Saturn Airways.
Standard Air Ways, Inc.
Swedish American Line Agency, Inc.
Trans World Airlines, Inc.
World Airways, Inc.

AT MONTREAL

American Flyers Airline Corp.
British Overseas Airways Corp.
Capitol Airways, Inc.
Deutsche Lufthansa Aktiengesellschaft (Lufthansa German Airlines).
Eagle Airways (Bermuda) Ltd.
Eastern Air Lines, Inc.
Mohawk Airlines, Inc.
Nordair Ltee—Nordair Ltd.
Northeast Airlines, Inc.
Pan American World Airways, Inc.
Saturn Airways, Inc.
Trans-Canada Air Lines.
Trans World Airlines, Inc.
United Air Lines, Inc.
World Airways, Inc.
World Wide Airways, Inc.

AT NASSAU

Air Venturers of Houston, Inc.
American Flyers Airline Corp.
Bahamas Airways, Ltd.
British Overseas Airways Corp.
Capitol Airways, Inc.
Eagle Airways (Bermuda), Ltd.
Eastern Air Lines.
Flying Tiger Line, Inc., The.
Mackey Airlines, Inc.
McCormick Shipping Corp., Eastern Shipping Corp. Agents.
Modern Air Transport, Inc.
National Airlines, Inc.
Pan American World Airways, Inc.
Trans-Canada Air Lines.
Trans World Airlines, Inc.
United Air Lines, Inc.
World Airways, Inc.

AT VANCOUVER

Air Canada.
American Flyers Airline Corp.
Canadian Pacific Air Lines, Ltd.
Pacific Western Airlines, Ltd.
Qantas Empire Airways, Ltd.
United Air Lines, Inc.
World Airways, Inc.

AT VICTORIA

Black Ball Transport, Inc.
British Columbia Coast Steamship Service.
Canadian Pacific Railway Co.
Yarmouth Cruises, Inc.

AT TORONTO

American Airlines, Inc.
American Flyers Airline Corp.
British Eagle International Airlines, Ltd.
Caledonian Airways (Prestwick), Ltd.
Canadian Pacific Air Lines, Ltd.
Capitol Airways, Inc.
Eastern Air Lines, Inc.
Mohawk Airlines, Inc.
Nordair Ltee—Nordair Ltd.
Pan American World Airways, Inc.
Saturn Airways, Inc.
Trans-Canada Air Lines.
United Air Lines, Inc.
World Airways, Inc.

AT WINNIPEG

Northwest Airlines, Inc.

PART 239—SPECIAL PROVISIONS RELATING TO AIRCRAFT: DESIGNATION OF PORTS OF ENTRY FOR ALIENS ARRIVING BY CIVIL AIRCRAFT

§ 239.2 [Amended]

1. Paragraph (a) of § 239.2 is amended to read as follows:

(a) *Place of landing.* Aircraft carrying passengers or crew required to be inspected under the Act shall land at the international air ports of entry enumerated in Part 100 of this chapter unless permission to land elsewhere shall first be obtained from the Commissioner of Customs in the case of aircraft operated by scheduled airlines, and in all other cases from the district director of Customs or other Customs officer having jurisdiction over the Customs port of entry nearest the intended place of landing. Whenever permission is granted to land at other than a designated international air port of entry, the owner, operator, or person in charge of the aircraft shall pay any additional expenses incurred in inspecting passengers or crew on board such aircraft, except that when permission is granted to a scheduled airline to land an aircraft operating on a schedule, no inspection charge shall be made for overtime service performed by immigration officers if the aircraft arrives substantially in accordance with schedules on file with the Service.

2. The first sentence of paragraph (b) *Advance notice of arrival* of § 239.2 *Landing requirements* is amended by deleting the word "Collector" and inserting in lieu thereof the words "district director".

PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

§ 242.7 [Amended]

1. Section 242.7 *Cancellation of proceedings* is amended by adding the following sentence at the end thereof: "A special inquiry officer may, in his discretion, terminate deportation proceedings to permit respondent to proceed to a final hearing on a pending application or petition for naturalization when the respondent has established prima facie eligibility for naturalization and the case involves exceptionally appealing or humanitarian factors; in every other case, the deportation hearing shall be completed as promptly as possible notwithstanding the pendency of an application for naturalization during any stage of the proceedings."

§ 242.8 [Amended]

2. Paragraph (a) *Authority* of § 242.8 *Special Inquiry Officers* is amended by adding the following sentence after the existing first sentence: "A special inquiry officer shall have authority to certify his decision in any case to the Board of Immigration Appeals when it involves an unusually complex or novel question of law or fact."

3. Paragraph (b) of § 242.9 is amended to read as follows:

§ 242.9 Trial attorney.

* * * * *

(b) *Assignment.* The district director shall assign a trial attorney to every case within the provisions of § 242.16(c), to every case in which an unrepresented respondent is incompetent or under 16 and is not accompanied by a guardian, relative or friend, and to every case in which the special inquiry officer requests assignment of a trial attorney. He shall also assign a trial attorney to every case in which the Commissioner approves the submission of nonrecord information (§ 242.17(a)). In his discretion, whenever he deems such assignment necessary or advantageous, the district director may assign a trial attorney to any other case at any stage of the proceeding.

§ 242.16 [Amended]

4. Paragraph (a) *Opening* of § 242.16 *Hearing* is amended by adding the following sentence at the end thereof: "Depending upon physical facilities, reasonable limitation may be placed upon the number in attendance at any one time, with priority being given to the press over the general public."

5. Paragraph (b) *Pleading by respondent* of § 242.16 *Hearing* is amended by adding the following sentence at the end thereof: "When, pursuant to this paragraph, the special inquiry officer may not accept an admission of deportability, he shall direct a hearing on the issues."

PART 243—DEPORTATION OF ALIENS IN THE UNITED STATES

§ 243.8 [Amended]

Section 243.8 *Imposition of sanctions* is amended by adding the following two sentences at the end thereof: "The consular officer shall be notified of any determination made with respect to the waiver of sanctions if a visa petition is approved. If the sanctions are not waived, the notice informing the petitioner that the petition has been approved shall also notify him that the sanctions imposed by section 243(g) of the Act have not been waived."

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

§ 245.1 [Amended]

1. The last sentence of paragraph (f) *Concurrent applications to overcome exclusionary grounds* of § 245.1 *Eligibility* is amended to read as follows: "An applicant for adjustment under this part may also apply for the benefits of section 212(c) of the Act, for permission to reapply after deportation or removal and for the benefits of section 212(a)(28)(I)(ii) of the Act."

§ 245.3 [Amended]

2. Section 245.3 *Adjustment of status under section 13 of the Act of September 11, 1957* is amended by inserting the following two sentences after the existing third sentence: "In view of the annual limitation of 50 on the number of aliens whose status may be adjusted under section 13 of the Act of September 11, 1957, an alien who is prima facie eligible for adjustment of status to that of a lawful permanent resident under another provision of law shall be advised to apply for adjustment pursuant to such other provision of law. An applicant for the benefits of section 13 of the Act of September 11, 1957 shall not be subject to the labor certification requirement of section 212(a)(14) of the Act."

PART 248—CHANGE OF NONIMMIGRANT CLASSIFICATION

1. Section 248.1 is amended to read as follows:

§ 248.1 Eligibility.

An alien admitted in immediate and continuous transit through the United States without a visa pursuant to section 238(d) of the Act, or an alien classified as a nonimmigrant under section 101(a)(15)(D) of the Act is not eligible for any change of nonimmigrant classification under section 248 of the Act. An alien classified as a nonimmigrant under section 101(a)(15)(C) or (J) of the Act is not eligible for any change of nonimmigrant classification other than a change to classification under section 101(a)(15)(A) or (G) of the Act. Any other alien lawfully admitted to the United States as a nonimmigrant, including an alien who acquired such status pursuant to section 247 of the Act, who is continuing to maintain his nonimmigrant status, may apply to have his nonimmigrant classification changed to any other nonimmigrant classification for which he may be found qualified. In determining whether an applicant has continued to maintain his nonimmigrant status the district director shall consider whether the alien has remained in the United States for a longer period than that authorized by the Service, and shall consider any conduct by the applicant relating to his maintenance of the status from which the applicant is seeking a change. An applicant may be considered as having maintained his nonimmigrant status within the meaning of this section even though he did not submit his application for change of nonimmigrant classification before his authorized temporary stay in the United States had expired, or during the period initially granted him by the district director to depart from the United States upon denial of an application for extension of temporary stay, if the district director is satisfied that the alien has not otherwise violated his nonimmigrant status and is a bona fide nonimmigrant. A nonimmigrant applying for a change to classification as a student under section 101(a)(15)(F) of the Act shall not be considered ineligible for such change solely because he may have started attendance at school before his application was submitted. An alien shall be considered prima facie ineligible for change of nonimmigrant classification as one who is no longer maintaining his nonimmigrant status, upon the introduction in Congress of a private bill seeking to confer upon him the status of a lawful permanent resident of the United States.

§ 248.2 [Amended]

2. Section 248.2 *Application* is amended by inserting the following two sentences after the existing seventh sentence: "Fees shall not be required in connection with requests for change of classification to that under section 101(a)(15)(A) and 101(a)(15)(G) of the Act. No fee shall be required when a change to exchange alien status as described in section 101(a)(15)(J) of the Act is requested by an agency of the U.S. Government and Form DSP–66, Certificate of Eligibility for Exchange-Visitor Status, submitted by the Agency will be accepted in lieu of Form I–506."

PART 249—CREATION OF RECORDS OF LAWFUL ADMISSION FOR PERMANENT RESIDENCE

Section 249.1 is amended to read as follows:

§ 249.1 Waiver of inadmissibility.

In conjunction with an application under section 249 of the Act, an otherwise eligible alien who is inadmissible under paragraph (9), (10), or (12) of section 212(a) of the Act may request a waiver of such ground of inadmissibility pursuant to the provisions of section 212(h) of the Act and apply for the benefits of section 212(a)(28)(I)(ii) of the Act.

PART 251—ARRIVAL MANIFESTS AND LISTS; SUPPORTING DOCUMENTS

1. Section 251.1 is amended by adding paragraph (d) to read as follows:

§ 251.1 Arrival manifests and lists.

* * * * *

(d) *Notations on arrival manifests.* Upon completion of the examination of each crewman listed on the Form I–418 presented by the master or agent of an arriving vessel, the examining immigration officer shall place one of the following symbols in column (5) of the Form I–418 opposite the name of the crewman: "USC" for a crewman admitted as a United States citizen; "N" for a crewman admitted as a lawful permanent resident; "D–1" for an alien crewman granted a conditional landing permit under section 252(a)(1) of the Act; "D–2" for an alien crewman granted a conditional landing permit under section 252(a)(2) of the Act; "Parolee" for an alien crewman paroled pursuant to section 212(d)(5) of the Act; and "Refused" for an alien crewman whose request for a landing permit has been refused. The examining immigration officer shall sign his name, title and the date of the inspection following the last entry in column (5) of the Form I–418 when the examination of the crew is completed. The master of the vessel shall be furnished Form I–410 as a receipt for the arrival manifest, Form I–418, and the immigration officer shall list on that form the names of all crewmen who have been refused conditional landing permits.

2. Section 251.5 is added to read as follows:

§ 251.5 Exemptions for private vessels and aircraft.

The provisions of this part relating to submission of arrival and departure manifests and lists shall not apply to a private vessel or a private aircraft not engaged directly or indirectly in the carriage of persons or cargo for hire.

PART 252—LANDING OF ALIEN CREWMEN

Section 252.1 is amended by adding paragraph (g) to read as follows:

§ 252.1 Examination of crewmen.

* * * * *

(g) *Refusal of conditional landing permit.* When an alien crewman is refused a conditional landing permit for any reason, the Form I–95 presented by him at time of examination shall be endorsed "Permission to land temporarily at all U.S. ports is refused" and the Form I–95 shall be given to the master or agent of the vessel or aircraft and, in the case of vessels, the alien crewman's name shall be listed on the Form I–410 delivered to the master of the vessel upon completion of the examination of the crew. If an alien crewman who has been refused a conditional landing permit is in possession of Form I–184, the Form I–184 shall be lifted by the examining immigration officer and, except in the case of an alien crewman who is refused a conditional landing permit solely because he is not in possession of a valid passport or visa, the Form I–184 shall be voided. In the case of an alien crewman refused a conditional landing permit because he is not in possession of a valid passport or visa, the Form I–184 shall be delivered to the master or agent of the vessel with instructions to return it to the alien crewman after the vessel has departed from the United States.

PART 253—PAROLE OF ALIEN CREWMEN

§ 253.1 [Amended]

Paragraph (a) *General* of § 253.1 *Parole* is amended by adding the following sentence at the end thereof: "The guarantee of payment for medical and other related expenses required by section 253 of the Act shall be executed by the owner, agent, consignee, commanding officer or master on Form I–510."

PART 264—REGISTRATION AND FINGERPRINTING OF ALIENS IN THE UNITED STATES

§ 264.1 [Amended]

1. The sixth sentence of paragraph (c) *Replacement of registration* of § 264.1 *Registration and fingerprinting* is amended by deleting the reference "§ 103.7(c)" and inserting the reference "§ 103.7(b)" in lieu thereof.

2. The last sentence of paragraph (f) *Registration and fingerprinting of children who reach age fourteen* of § 264.1 *Registration and fingerprinting* is amended to read as follows: "In the case of an alien who is not a lawful permanent resident, the Form I–102, and the alien's Form I–94 or I–95 shall be noted to show that he has been registered and the date of registration."

3. Section 264.1 is amended by adding paragraph (g) to read as follows:

(g) *Temporary evidence of registration.* Form I–94, appropriately endorsed, may be issued as temporary evidence of registration and lawful admission for permanent residence to a lawful permanent resident alien who is departing temporarily from the United States and has applied on Form I–90 for issuance of Form I–151, if the district director is unable to issue and deliver the Form I–151 prior to the alien's contemplated return to the United States. The alien shall surrender such Form I–94 to the Service upon receipt of Form I–151.

PART 292—REPRESENTATION AND APPEARANCES

1. Paragraph (b) of § 292.4 is amended to read as follows:

§ 292.4 Appearances.

* * * * *

(b) *Availability of records.* During the time a case is pending, and except as otherwise provided in § 103.2(b) of this chapter, a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with § 103.10 of this chapter, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in § 103.10 of this chapter.

2. Section 292.6 is added to read as follows:

§ 292.6 Interpretation.

Interpretations of this part will be made by the Board of Immigration Appeals, subject to the provisions of Part 3 of this chapter.

PART 299—IMMIGRATION FORMS

§ 299.1 [Amended]

The list of forms in § 299.1 *Prescribed forms* is amended by adding the following forms and references thereto in alphabetical and numerical sequence:

Form No. and title and description

FS–398—Medical Examination of Visa Applicant.
I–68—Canadian Border Boat Landing Card.
I–134—Affidavit of Support.
I–147—Notice of Temporary Exclusion from United States.
I–179—Identification Card for Resident Citizen in the United States.
I–180—Notice of Voidance of Form I–186.
I–196—Application for U.S. Citizen Identification Card.
I–197—U.S. Citizen Identification Card.
I–296—Notice to Alien Ordered Excluded by Special Inquiry Officer.
I–410—Receipt for Crew List.
I–420—Agreement (Land-Border) Between Transportation Line and United States.
I–421—Agreement (Overseas) Between Transportation Line and United States.
I–510—Guarantee of Payment.
I–512—Authorization for Parole or Conditional Entry of an Alien into the United States.
I–550—Application for Verification of Last Entry of an Alien.
N–565—Application for Information from or Copies of Immigration and Naturalization Records.
PHS–124(FQ) Medical Certificate.

PART 312—EDUCATIONAL REQUIREMENTS FOR NATURALIZATION

Part 312 is added to read as follows:

*

Sec.
312.1 Literacy requirements.
312.2 Knowledge of history and Government of the United States.
312.3 Petitions pending for 1 year.

AUTHORITY: The provisions of this Part 312 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interpret or apply 312, 333, 66 Stat. 239, 252; 8 U.S.C. 1423, 1443.

§ 312.1 Literacy requirements.

The ability of a petitioner to speak English shall be determined from answers to questions normally asked in the course of the preliminary investigation and preliminary examination. A petitioner's ability to read and write English shall be tested by excerpts from one or more parts of the Federal Textbooks on Citizenship written at the elementary literacy level. These textbooks may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, and are available at certain public educational institutions. The matter written by a petitioner shall be retained in his file.

§ 312.2 Knowledge of history and Government of the United States.

The test of a petitioner's knowledge of the history and form of government of the United States shall be given in the English language unless he is exempt from speaking English. The scope of the testing shall be limited primarily to subject matters covered in the Federal Textbooks on Citizenship. In choosing the subject matters and in phrasing questions, due consideration shall be given to the extent of the petitioner's education, background, age, length of residence in the United States, opportunities available and efforts made to acquire the requisite knowledge, and any other elements or factors relevant to an appraisal of the adequacy of his knowledge and understanding.

§ 312.3 Petitions pending for 1 year.

A petitioner for naturalization shall be given three opportunities to meet the educational and literacy requirements: The first when the petition is filed; the second approximately 6 months later; and the third approximately 6 months thereafter, at or before the final hearing. However, a designated examiner may schedule a reexamination at an earlier time when he believes the intelligence and educational background of the petitioner so warrants; or, in anticipation of an imminent final hearing in a court having only one or two hearings a year, if he believes the petitioner may be able to qualify. In the discretion of a supervisory officer, opportunities beyond the period of 1 year may be afforded if the petitioner was unable to appear for reexamination because of illness or other

sufficient cause or when continuing bona fide efforts indicate that the petitioner may qualify within a reasonable period of time.

PART 316a—RESIDENCE, PHYSICAL, PRESENCE, AND ABSENCE

Part 316a is amended by adding §§ 316a.2, 316a.3, and 316a.4 to read as follows:

§ 316a.2 American institutions of research.

The following-listed organizations have been determined to be American institutions of research recognized by the Attorney General:

Albert Einstein College of Medicine of Yeshiva University (only in relationship to its research programs).
American Friends of the Middle East, Inc.
American Institutes of Research in the Behavioral Sciences (only in relationship to research projects abroad).
American University, The, Cairo, Egypt.
American University of Beirut (Near East College Associations).
Arctic Institute of North America, Inc.
Armour Research Foundation of Illinois Institute of Technology.
Asia Foundation, The (formerly Committee for a Free Asia, Inc.).
Atomic Bomb Casualty Commission.
Bermuda Biological Station for Research, Inc.
Bernice P. Bishop Museum of Polynesian Antiquities, Ethnology and Natural History at Honolulu, Hawaii.
Brown University (Department of Engineering), Providence, R.I.
Buffalo Eye Bank and Research Society, Inc.
Burma Office of Robert N. Nathan Associates, Inc.
Center of Alcohol Studies, Laboratory of Applied Biodynamics of Yale University.
Central Registry of Jewish Losses in Egypt.
College of Engineering, University of Wisconsin.
College of Medicine, State University of New York.
Colorado State University (Research Foundation), Fort Collins, Colo.
Colorado University (International Economic Studies Center), Boulder, Colo.
Columbia University (Parker School of Foreign and Comparative Law) and (Faculty of Pure Science), New York, N.Y.
Cornell University (International Agricultural Development, University of the Philippines-Cornell University Graduate Education Program).
Department of French, and Department of Scandinavian Languages of the University of California, Berkeley, Calif.
Fletcher School of Law and Diplomacy, Medford, Mass.
Ford Foundation, 477 Madison Avenue, New York, N.Y.
Free Europe Committee, Inc. (formerly National Committee for a Free Europe (including Radio Free Europe)).
George Williams Hooper Foundation, San Francisco Medical Center, University of California, San Francisco, Calif.
Graduate Faculty of Political and Social Science Division of the New School for Social Research, New York, N.Y.
Institute of International Education.
International Center for Social Research, Inc., New York, N.Y.
International Development Foundation, Inc.
International Development Services, Inc.
International Research Associates, Inc.
Iran Foundation, Inc., The.
Kossuth Foundation, Inc., The, New York, N.Y.
Massachusetts Institute of Technology.
Natural Science Foundation, Philadelphia, Pennsylvania.
Paderewski Foundation, Inc.
Peabody Museum of Natural History of Yale University.
People to People Health Foundation, Inc., The (only in relationship to the scientific research activities that will be carried on abroad by the medical staff of the SS "Hope").
Population Council, The, New York, N.Y.
Radio Liberty Committee, Inc. (formerly American Committee for Liberation, Inc.; American Committee for Liberation of the Peoples of Russia, Inc.; American Committee for Liberation from Bolshevism, Inc.).
School of International Relations of the University of Southern California.
SIRIMAR (Societa Internazionale Recerche Marine) Division, Office of the Vice President for Research, Pennsylvania State University.
Social Science Research Council.
Stanford Center for Chinese Studies in Taipei, Taiwan.
Stanford Research Institute, Menlo Park, Calif.
Stanford University (the George Vanderbilt Foundation), Stanford, Calif.
Syracuse University.
Tulane University Medical School.
University of Alabama Medical Center.
University of Chicago (as a participant in the International Cooperation Administration Program No. W-74 only).
University of Hawaii, Honolulu, Hawaii.
University of Notre Dame, Notre Dame, Ind.
Wenner-Gren Foundation for Anthropological Research, Inc.
Williams College, Economic Department, Williamstown, Mass.

The regional commissioner shall forward a copy of each decision regarding an American institution of research to the Assistant Commissioner, Naturalization.

§ 316a.3 Public international organizations of which the United States is a member by treaty or statute.

The following-listed organizations have been determined to be public international organizations of which the United States is a member by treaty or statute:

The North Atlantic Treaty Organization.
United Nations and all agencies and organizations which are a part thereof.

The regional commissioner shall forward a copy of each decision regarding a public international organization to the Assistant Commissioner, Naturalization.

§ 316a.4 International Oragnizations Immunities Act designations.

The following public international organizations are entitled to enjoy the privileges, exemptions, and immunities provided for in the International Organizations Immunities Act, and are considered as public international organizations of which the United States is a member by treaty or statute within the meaning of section 316(b) of the Act and as public international organizations in which the United States participates by treaty or statute within the meaning of section 319(b) of the Act:

Asian Development Bank (E.O. 11334, Mar. 7, 1967).
Caribbean Organization (E.O. 10983, Dec. 30, 1961).
Coffee Study Group (E.O. 10943, May 19, 1961).
European Space Research Organization (E.O. 11318, Dec. 5, 1966).
Food and Agriculture Organization, The (E.O. 9698, Feb. 19, 1946).
Great Lakes Fishery Commission (E.O. 11059, Oct. 23, 1962).
Inter-American Defense Board (E.O. 10228, Mar. 26, 1951).
Inter-American Development Bank (E.O. 10873, Apr. 8, 1960).
Inter-American Institute of Agricultural Sciences (E.O. 9751, July 11, 1946).
Inter-American Statistical Institute (E.O. 9751, July 11, 1946).
Inter-American Tropical Tuna Commission (E.O. 11059, Oct. 23, 1962).
Intergovernmental Committee for European Migration (formerly the Provisional Intergovernmental Committee for the Movement of Migrants from Europe) (E.O. 10335, Mar. 28, 1952).
Intergovernmental Maritime Consultative Organization (E.O. 10795, Dec. 13, 1958).
Interim Communications Satellite Committee (E.O. 11227, June 2, 1965).
International Atomic Energy Agency (E.O. 10727, Aug. 31, 1957).
International Bank for Reconstruction and Development (E.O. 9751, July 11, 1946).
International Civil Aviation Organization (E.O. 9863, May 31, 1947).
International Coffee Organization (E.O. 11225, May 22, 1965).
International Cotton Advisory Committee (E.O. 9911, Dec. 19, 1947).
International Cotton Institute (E.O. 11283, May 27, 1966).
International Finance Corporation (E.O. 10680, Oct. 2, 1956).
International Hydrographic Bureau (E.O. 10769, May 29, 1958).
International Joint Commission—United States and Canada (E.O. 9972, June 25, 1948).
International Labor Organization, The (functions through staff known as The International Labor Office) (E.O. 9698, Feb. 19, 1946).
International Monetary Fund (E.O. 9751, July 11, 1946).
International Pacific Halibut Commission (E.O. 11059, Oct. 23, 1962).
International Telecommunication Union (E.O. 9863, May 31, 1947).
International Telecommunications Satellite Consortium (E.O. 11277, Apr. 30, 1966).
International Wheat Advisory Committee (E.O. 9823, Jan. 24, 1947).
Organization for European Economic Cooperation (E.O. 10133, June 27, 1950) (Now known as Organization for Economic Cooperation and Development; 28 F.R. 2959, Mar. 26, 1963).
Organization of American States (includes Pan American Union) (E.O. 10533, June 3, 1954).
Pan American Health Organization (includes Pan American Sanitary Bureau) (E.O. 10864, Feb. 18, 1960).
Preparatory Commission of the International Atomic Energy Agency (E.O. 10727, Aug. 31, 1957).
Preparatory Commission for the International Refugee Organization and its successor, the International Refugee Organization (E.O. 9887, Aug. 22, 1947).
Southeast Asia Treaty Organization (E.O. 10866, Feb. 20, 1960).
South Pacific Commission (E.O. 10086, Nov. 25, 1949).
United Nations, The (E.O. 9698, Feb. 19, 1946).
United Nations Educational, Scientific, and Cultural Organizations (E.O. 9863, May 31, 1947).

Universal Postal Union (E.O. 10727, Aug. 31, 1957).
World Health Organization (E.O. 10025, Dec. 30, 1948).
World Meteorological Organization (E.O. 10676, Sept. 1, 1956).

PART 319—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: SPOUSES OF UNITED STATES CITIZENS

Part 319 is amended by adding § 319.3 to read as follows:

§ 319.3 Public international organizations in which the U.S. participates by treaty or statute.

Organizations designated by the President as international organizations pursuant to the International Organizations Immunities Act are considered as public international organizations in which the United States participates by treaty or statute within the meaning of section 319(b) of the Act. For a list of such organizations see § 316a.4 of this chapter. In addition, the following have been determined to be public international organizations within the purview of section 319(b) of the Act:

The North Atlantic Treaty Organization.
The United Nations and all agencies and organizations which are a part thereof.

The regional commissioner shall forward a copy of each decision regarding a public international organization to the Assistant Commissioner, Naturalization.

PART 334—PETITION FOR NATURALIZATION

Section 334.11 is amended to read as follows:

§ 334.11 Petition for naturalization and preliminary application.

A person who desires to apply for naturalization shall, before filing his petition for naturalization, execute and submit preliminary application Form N–400. Former citizens who are applying under section 324(a) or 327 of the Act shall execute supplement Form N–400A. Seamen who are applying under section 330 of the Act shall execute supplement Form N–400B. The Service shall notify the applicant when and where to appear with his witnesses for preliminary investigation and filing his petition for naturalization.

Paragraph (b) of § 334.16 is amended to read as follows:

§ 334.16 Amendment of petition or application for naturalization.

* * * * *

(b) *After final action on petition or application.* Whenever an application is made to the court to amend a petition or application for naturalization after final action thereon has been taken by the court, a copy of the application shall be served upon the district director having administrative jurisdiction over the territory in which the court is located, in the manner and within the time provided by the rules of court in which application is made. No objection shall be made to the amendment of a petition for naturalization after the petitioner for naturalization has been admitted to citizenship if the motion or application is to correct a clerical error arising from oversight or omission. A representative of the Service may appear at the hearing upon such application and be heard in favor of or in opposition thereto. When the court orders the petition amended, the clerk of court shall transmit a copy of the order to the district director for inclusion in the Service file.

PART 337—OATH OF ALLEGIANCE

Part 337 is amended by adding § 337.4 to read as follows:

§ 337.4 When request for change of name granted.

When the court has granted the petitioner's change-of-name request, the petitioner shall subscribe his new name to the written oath of allegiance on the reverse of the original naturalization petition.

PART 339—FUNCTIONS AND DUTIES OF CLERKS OF NATURALIZATION COURTS

§ 339.2 [Amended]

Section 339.2 *Monthly reports* is amended by adding the following sentences at the end thereof: "The clerk of court shall show on Form N–4 the inclusive numbers of all petitions filed, and list individually by name and number in the spaces provided therein all petitions filed during the month. In lieu of forwarding duplicate petitions to the Service with his report on Form N–4, the clerk may deliver the petitions to the examiner immediately after filing."

PART 341—CERTIFICATES OF CITIZENSHIP

§ 341.5 [Amended]

Section 341.5 *Report and recommendation* is amended by adding the following sentences at the end thereof: "When the person or persons through whom citizenship is claimed cannot be produced for any of the reasons prescribed by § 341.2(b) and the claimant is unable to produce a substitute witness, favorable action may nevertheless be taken on the application only if (a) the testimony of the claimant or the acting parent or guardian, and (b) Service or State Department records, and (c) documentary evidence clearly and convincingly establish that citizenship was acquired or derived in the manner claimed; that it was not subsequently lost in any manner, and that no doubt remains that the relationship exists to the person or persons through whom citizenship is claimed. In such an instance, the assigned officer shall include as an exhibit in the record a supplemental memorandum waiving the testimony and reciting the basis therefor."

PART 343—CERTIFICATE OF NATURALIZATION OR REPATRIATION; PERSONS WHO RESUMED CITIZENSHIP UNDER SECTION 323 OF THE NATIONALITY ACT OF 1940, AS AMENDED, OR SECTION 4 OF THE ACT OF JUNE 29, 1906

§ 343.1 [Amended]

Section 343.1 *Application* is amended by adding the following sentence after the existing first sentence: "The applicant shall be required to appear in person before an assigned officer for interrogation under oath or affirmation upon the application."

PART 343a—NATURALIZATION AND CITIZENSHIP PAPERS LOST, MUTILATED, OR DESTROYED; NEW CERTIFICATE IN CHANGED NAME; CERTIFIED COPY OF REPATRIATION PROCEEDINGS

Paragraph (c) of § 343a.1 is amended by adding the following sentence at the beginning of that paragraph:

§ 343a.1 Application for replacement of or for new naturalization or citizenship paper.

* * * * *

(c) *Disposition.* The applicant shall be required to appear in person before an assigned officer for interrogation under oath or affirmation upon the application. * * *

Section 343a.2 is added to read as follows:

§ 343a.2 Return or replacement of surrendered certificate of naturalization or citizenship.

A certificate of naturalization or citizenship in a Service file which was surrendered on a finding that loss of U.S. nationality had occurred directly or through a parent by reason of section 404 (b) or (c) of the Nationality Act of 1940 or section 352 of the Immigration and Nationality Act and which finding is no longer valid in view of Schneider v. Rusk, 377 U.S. 163, may be returned to the person to whom it was issued, provided he has not since been naturalized in the United States. If such naturalization has occurred, he should be informed that in view thereof the certificate cannot be returned or replaced and should be advised that he may, if he wishes, proceed through normal legal channels for a reopening of the subsequent naturalization case and the vacating of the order and judgment therein. If, after having been surrendered to the Department of State or to this Service, the certificate has been lost, mutilated, or destroyed as a result of either Service action or the action of that Department, a replacement certificate may be issued in the name shown in the surrendered certificate without fee and without requiring the submission of Form N–565. A surrendered certificate shall not be regarded as mutilated and a replacement shall not be issued solely because of holes made in it to accommodate an Acco fastener, unless the citi-

zen declines to accept the return of the surrendered certificate in that condition and insists upon issuance of a replacement. When it is desired that the replacement certificate be furnished in a name other than the one shown in the surrendered certificate, the regular application procedure with payment of fee must be followed. The naturalized person shall be required to appear in person, if within the United States, before an assigned officer for interrogation under oath or affirmation upon the request for return of the certificate.

PART 343b—SPECIAL CERTIFICATE OF NATURALIZATION FOR RECOGNITION BY A FOREIGN STATE

1. Section 343b.1 is amended to read as follows:

§ 343b.1 Application.

A naturalized citizen who desires to obtain recognition as a citizen of the United States by a foreign state shall submit an application on Form N–577. He shall not be furnished with verification of his naturalization for such purpose in any other way. An applicant who is a claimant against a foreign government for property damage pursuant to the provisions of a peace treaty shall not be requested to furnish the name, official title, and address of a foreign official unless such information is available when the investigation of the applicant is conducted. The applicant shall be required to appear in person before an assigned officer for interrogation under oath or affirmation upon the application.

2. Sections 343b.2, 343b.3, 343b.4, and 343b.5 are added to read as follows:

§ 343b.2 Number of applications required.

A special certificate of naturalization is delivered to one foreign government official only. An applicant who desires recognition as a U.S. citizen by more than one foreign official, whether in the same country or not, must file a separate application for each certificate required.

§ 343b.3 Interrogation.

When Form N–577 presents a prima facie case, it shall be forwarded to the district director, without first interrogating the applicant, for issuance of the certificate. Interrogation of the applicant shall be conducted before the application is forwarded if he appears in person to file the application or if it is necessary in order to properly adjudicate the case. In that event the officer interviewing the applicant will complete the report on page 2 of Form N–577 before transmitting the application to the district director. In all other cases the interview shall take place at any time before the certificate is transmitted to the State Department (unless the applicant is abroad) and the report completed after the interview.

§ 343b.4 Applicant outside of United States.

If the application is received by a Service officer stationed outside the United States, he shall, when practicable, interrogate the applicant before the application is forwarded to the district director in the United States having jurisdiction over the applicant's place of residence for issuance of the certificate. When such interrogation is not practicable, the certificate may nevertheless be issued and the recommendation conditioned upon satisfactory interrogation by a State Department Representative. When forwarding the certificate in such a case, the Secretary of State shall be informed that the applicant has not been interviewed, and requested to have his representative abroad interview the applicant regarding identity and possible expatriation. If identity is not established or if expatriation has occurred, the request shall be made that the certificate be returned to the Service.

§ 343b.5 Verification of naturalization.

The application shall not be granted without first obtaining verification of the applicant's naturalization.

3. Paragraph (a) of § 343b.11 is amended to read as follows:

§ 343b.11 Disposition of application.

(a) *Issuance of certificate.* If the application is granted, a special certificate of naturalization on Form N–578 shall be issued by the district director and forwarded to the Secretary of State for transmission to the proper authority of the foreign state. The district director shall forward the original certificate by letter, in triplicate, to the Secretary of State, Attention: Office of Special Consular Services, Department of State, Washington, D.C. 20520; forward the application and the duplicate certificate to the official Service file, and send Form N–568 to the applicant.

* * * * *

PART 349—LOSS OF NATIONALITY

Part 349 is added to read as follows:

§ 349.1 Japanese renunciation of nationality.

A Japanese who renounced United States nationality pursuant to the provisions of section 401(i), Nationality Act of 1940, who claims that his renunciation is void, shall complete Form N–576, Supplemental Affidavit to be Submitted with Applications of Japanese Renunciants. The affidavit shall be submitted to the Assistant Attorney General, Civil Division, Department of Justice, Washington, D.C. 20530, with a covering letter requesting a determination of the validity of the renunciation. (Sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interprets or applies 401(i), 54 Stat. 1169; 8 U.S.C. 801, 1946 ed.)

PART 499—NATIONALITY FORMS

§ 499.1 [Amended]

Section 499.1 *Prescribed forms* is amended by adding the following forms and references thereto in numerical sequence:

Form No. and title and description
N–568—Form Letter Stating Special Certificate of Naturalization has been Forwarded.
N–576—Supplemental Affidavit to be Submitted with Applications of Japanese Renunciants.

[F.R. Doc. 67–7650; Filed, July 3, 1967; 8:53 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Packers and Stockyards Administration, Department of Agriculture

PART 204—ORGANIZATION AND FUNCTIONS

Public Information

Sec.

204.1 Introduction.
204.2 Organization.
204.3 Availability of staff manuals, instructions and related materials.
204.4 Index.
204.5 Facilities for inspection; copies.
204.6 Requests for records.
204.7 Delegation of authority.
204.8 Available records.
204.9 Exempt records.
204.10 Determinations.
204.11 Appeals.
204.12 Inspection and copies.

AUTHORITY: The provisions of this Part 204 issued under 5 U.S.C. 552, 559.

§ 204.1 Introduction.

The Packers and Stockyards Administration hereby describes its central and field organization, indicates the established places at which and methods whereby the public may secure information, directs attention to the general course and method by which its functions are channeled and determines and sets forth the procedures governing the availability of opinions, orders, and other records in the files of said Administration.

§ 204.2 Organization.

(a) The Packers and Stockyards Administration consists of a headquarters office located in the South Building of the U.S. Department of Agriculture in Washington, D.C. and 15 field offices. The Washington Headquarters office is organized to include the Office of the Administrator and two Divisions, the Packer and Poultry Division and the Livestock Marketing Division.

(b) *Office of the Administrator.* This office has overall responsibility for administering the provisions of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. 181 et seq.) and executing assigned civil defense and defense mobilization activities. These responsibilities include formulation of long range and current programs relating to assigned functions; technical and administrative direction and coordination in the execution of approved policies and programs carried out by the Packers and Stockyards Administration; review and evaluation of program operations and

determination of remedial measures for improvement; maintenance of relations and communications with producer and industry groups.

(c) *Packer and Poultry Division.* This Division carries out the enforcement of the provisions of the Packers and Stockyards Act relating to packers and live poultry dealers and handlers and licensees. These responsibilities and functions include determination of applicability of the provisions of the Act to individual packer and poultry operations, surveillance of these operations, investigation of complaints, initiation of formal proceedings, when warranted, to correct illegal practices, and maintenance of working relationships with the meat packer and poultry industries.

(d) *Livestock Marketing Division.* This Division enforces those provisions of the Packers and Stockyards Act relating to stockyard owners, market agencies, and dealers. Included within these responsibilities and functions are determination of the applicability of the provisions of the Act to individual stockyard operations; posting of stockyards; registration and bonding of market agencies and dealers; testing of scales and checkweighing; and surveillance and investigation of trade practices within the purview of the Act, other than packer and poultry marketing practices. The Division also initiates formal proceedings, when necessary, to correct illegal practices and maintains working relationships with producer and industry groups.

(e) *Field Service.* (1) The Field Service of the Packers and Stockyards Administration is divided into 13 area offices and two suboffices. These offices are responsible for supervision of the operations of stockyard companies, market agencies, dealers, packers and poultry dealers and licensees to assure compliance with the Act. They formulate recommendations relating to enforcement of the Act; conduct investigations to determine the existence of, and develop evidence of, unfair trade practices; evaluate the adequacy of stockyard facilities and services; receive and investigate complaints including reparation complaints; prepare investigation reports and recommend corrective action; audit books, records, and reports of persons subject to the Act; review applications for registration, licenses, and rate changes for accuracy and compliance; assist in prosecution of cases; and maintain relationships with producers, the trade, States, and other groups interested in the welfare of the livestock and poultry industries concerning enforcement of the Act.

(2) The locations of these offices, which are under officers in charge, are as follows:

Office and Address
Atlanta—Room 309, 1795 Peachtree Street NE., Atlanta, Ga. 30309.
Chicago—Livestock Exchange Building, Union Stockyards, Chicago, Ill. 60609.
Denver—406 Livestock Exchange Building, Stockyards Station, Denver, Colo.
Fort Worth—Room 7A15, Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.
Huntington Park—Room 405, Wilson Building, 5905 Pacific Boulevard, Huntington Park, Calif. 90256.
Indianapolis—70 Livestock Exchange Building, Indianapolis, Ind. 46221.
Kansas City—826 Livestock Exchange Building Kansas City, Mo. 64102.
Memphis—Room 831, Federal Building, 167 North Main Street, Memphis, Tenn. 38103.
National Stockyards (Suboffice of Chicago)—Livestock Exchange Building, Post Office Box 186, National Stockyards, Illinois 67071.
Newark—Room 366, Industrial Office Building, 1061 Broad Street, Newark, N.J. 07102.
Omaha—435 Livestock Exchange Building, Omaha, Nebr. 68107.
Portland—Post Office Box 127, North Portland, Oreg. 97043.
Sioux City (Suboffice of Omaha)—224 Livestock Exchange Building, 800 South Chambers Street, Sioux City, Iowa 51107.
St. Paul—206 Post Office Building, Box 297, South St. Paul, Minn.
Washington Field—Room 606–C, Building RP–E, Arlington, Va. 22209.

§ 204.3 Availability of staff manuals, instructions, and certain other material.

P&SA will make available for public inspection and copying its administrative staff manuals and instructions to staff affecting any member of the public and all other records of P&SA within the scope of 5 U.S.C. 552(a)(2), except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b).

§ 204.4 Index.

P&SA will maintain and make available for public inspection and copying a current index providing identifying information for staff manuals and instructions and other records made available pursuant to § 204.3.

§ 204.5 Facilities for inspection; copies.

Facilities for public inspection and copying of the material made available pursuant to §§ 204.3 and 204.4 will be provided upon request to the Executive Assistant to the Administrator, Packers and Stockyards Administration, Room 3052, South Building, U.S. Department of Agriculture, Washington, D.C. Copies of such material may also be obtained in person or by mail. Applicable fees will be charged for making copies as prescribed by the Director, Office of Plant and Operations, Department of Agriculture.

§ 204.6 Requests for identifiable records.

Requests for P&SA records, pursuant to 5 U.S.C. 552 (a)(3), shall (a) be made in writing to the Executive Assistant to the Administrator, Packers and Stockyards Administration, South Building, Room 3052, U.S. Department of Agriculture, Washington, D.C. 20250, and (b) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail. Requests may be submitted in person during regular hours of business.

§ 204.7 Delegation of authority.

Subject to § 204.11 of this part, the Executive Assistant to the Administrator is authorized to act, on behalf of P&SA, on all requests for records in accordance with 5 U.S.C. 552, as implemented by this part.

§ 204.8 Available records.

P&SA will promptly make available all P&SA records requested in accordance with § 204.6 except exempt records as described in § 204.9.

§ 204.9 Exempt records.

Exempt records of P&SA include the following:

(a) Matters that are related solely to the internal personnel rules and practices of the Agency.

(b) Matters that are specifically exempted from disclosure by statute (15 U.S.C. 50; 7 U.S.C. 222, 218b).

(c) Matters that are trade secrets and commercial or financial information obtained from any person and privileged or confidential. Among P&SA records in this class are those which consist of or contain information submitted or obtained in annual or special reports required by authority in the Act.

(d) Matters that are intra-agency or interagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Department. Among P&SA records in this class are those which consist of intra-agency or interagency memorandums or letters containing opinions, estimates, judgments, recommendations, or reports of internal deliberations relating to the compliance of the operations of a person or firm subject to the Act with its provisions. Examples of such memorandums or letters are those expressing opinions regarding or evaluating the solvency or trade practices of persons and firms subject to the Act, or recommending investigative methods with respect to them.

(e) Matters that are personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(f) Matters that are investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

§ 204.10 Determinations.

The Executive Assistant to the Administrator shall make promptly available any P&SA record requested in accordance with § 204.6, unless he determines that it is an exempt record. He shall give prompt written notice of any such determination, together with the reasons therefor.

§ 204.11 Appeals.

A denial by the Executive Assistant of any request for a P&SA record or records may be appealed by the person who made the request to the Administrator of the Packers and Stockyards Administration. The appeal shall be made in writing within 15 days of the date of the Executive Assistant's notice of his action. The Administrator will give written notice of P&SA's final determination.

§ 204.12 Inspection and copies.

A person who has requested available records pursuant to 5 U.S.C. 522(a)(3)

and § 204.6 shall be promptly notified that, upon payment of applicable fees, he may inspect and copy such records, and purchase copies or extracts thereof, in the office of the Executive Assistant to the Administrator, or business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. Applicable fees will be charged for making copies and for other services incidental to making the records available as prescribed by the Director, Office of Plant and Operations, Department of Agriculture.

Effective date. The provisions of this Part 204 are effective on July 4, 1967.

GLENN G. BIERMAN,
Acting Administrator of the Packers and Stockyards Administration.

JUNE 29, 1967.

[F.R. Doc. 67-7722; Filed, July 3, 1967; 8:55 a.m.]

Title 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

RECORDS AND INFORMATION

Miscellaneous Amendments

Effective July 4, 1967, §§ 301.1, 303.10, 305.1, 307.3, 334.4, and Part 309 of the rules and regulations of the Federal Deposit Insurance Corporation are amended as follows:

PART 301—INTRODUCTORY

1. Section 301.1 is amended to read as follows:

§ 301.1 Scope.

The rules contained in this subchapter are promulgated pursuant to the provisions of the Administrative Procedure Act (5 U.S.C. 551–559), the Federal Deposit Insurance Act (12 U.S.C. 1811–1831), and other applicable laws. In accordance with the provisions of section 3(a) of the Administrative Procedure Act they state (1) the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions, (2) the general course and method by which the Corporation's functions are channeled and determined, including the nature and requirements of all formal and informal procedures available, and (3) rules of procedure, descriptions of forms available, or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations, except to the extent exempted by law. This subchapter also includes appropriate provisions with respect to rule making, adjudications, and hearings, as prescribed by law. A current description of the Corporation's central and field organization is separately published in the FEDERAL REGISTER. Proceedings by the Corporation within the meaning of this subchapter include:

(a) The formulation and promulgation of rules and regulations, including amendments thereto or the repeal thereof;

(b) The disposition of applications, requests, and submittals;

(c) Formal and informal hearings and adjudications. (Sec. 9, 64 Stat. 881; 12 U.S.C. 1819.)

PART 303—APPLICATIONS, REQUESTS, AND SUBMITTALS

2. Add to § 303.10 after the words "Board of Review" the words "with respect to matters referred to it" and the following three paragraphs:

§ 303.10 Procedure on applications.

* * * * *

(c) The Chief of the Division of Examination and the Supervising Examiner of the District in which the bank is located have been authorized to take final action with respect to the approval of certain applications, such as applications by a State nonmember insured bank to move its main office or branch or to obtain an extension of a time limitation imposed in connection with a previous application. This delegated authority is subject to certain limitations set forth in the delegations of authority which are available at the office of each Supervising Examiner. The Chief of the Division of Examination is also authorized to act upon applications by State nonmember insured banks for extensions of time of 90 days or less within which to register securities pursuant to the provisions of section 12(g) of the Securities Exchange Act of 1934, as amended.

(d) For the purpose of assuring the performance and continuity in the management functions and activities of the Corporation, the Board of Directors has delegated, to the extent deemed necessary, authority with respect to the management of the Corporation's affairs to certain designated officers, such authority to be exercised only in the event of an emergency, involving an enemy attack on the continental United States or other warlike occurrence, which renders the Board of Directors unable to perform the management functions and activities normally performed by it.

(e) With respect to any application, the Board of Directors will afford the applicant or other properly interested persons, including Government agencies, an opportunity to present views orally before the Board of Directors or its designated representative or representatives, either at informal conference discussions or at informal presentation of evidence.

PART 305—PAYMENT OF INSURED DEPOSITS

§ 305.1 [Amended]

3. Amend the seventh sentence of § 305.1 to read as follows: "It is the policy of the Corporation to make such payment by issuing its check for the amount of the insured deposit."

PART 307—VOLUNTARY TERMINATION OF INSURED STATUS

§ 307.3 [Amended]

4. At the beginning of paragraph (c) of § 307.3 substitute the words "It is the policy of the Corporation to" for the words "The Corporation will".

PART 334—BANK SERVICE ARRANGEMENTS

§ 334.4 [Amended]

5. In the first sentence of § 334.4 substitute the words "It is the policy of the Corporation that assurances" for the word "Assurances".

6. Amend Part 309 as follows:

PART 309—PUBLISHED AND UNPUBLISHED RECORDS AND INFORMATION

Sec.
309.1 Published and unpublished information.
309.2 Opinions and orders.

AUTHORITY: The provisions of this Part 309 issued under sec. 9, 64 Stat. 882; 12 U.S.C. 1819. Interpret or apply sec. 10, 64 Stat. 882–883; 12 U.S.C. 1820.

§ 309.1 Published and unpublished information.

(a) *Information published or made available to the public*—(1) *Federal Register publication.* To the extent required by sections 3 and 4 of the Administrative Procedure Act, as amended (5 U.S.C. 552, 553), and subject to the exemptions set forth in subsection (e) of section 3 of said Act the Corporation publishes in the FEDERAL REGISTER for the guidance of the public (i) descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions; (ii) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (iii) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all such papers and reports or examinations; (iv) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the Corporation; (v) every amendment, revision or repeal of the foregoing; and (vi) general notices of proposed rule making, unless the persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law.

(2) *Other published information—annual reports.* (i) The Corporation publishes an annual report of its operations to Congress pursuant to the requirements of section 17(a) of the

Federal Deposit Insurance Act (12 U.S.C. 1827(a)). The Corporation also publishes an annual report to insured banks as of June 30 of each year which presents the current financial statements of the Corporation and its activities during the preceding 6 months, and an annual report on operating banking offices insured by the Corporation as of January 1 of each year which lists the names and locations of all insured banking offices, grouped by city and State.

(ii) Other information: The Corporation also issues the following publications:

Assets, Liabilities, and Capital Accounts, Commercial and Mutual Savings Banks (semiannually). Presents detailed data from condition statements, by State.

Federal Deposit Insurance Act and Rules and Regulations (of the FDIC). Updates the laws relating to the Federal Deposit Insurance Corporation and rules and regulations made by the Board of Directors.

Your Insured Deposit. Questions and answers on applicability of insurance to particular circumstances.

How to Get Your Money. Questions and answers on how to obtain an insured deposit when a bank fails.

A Career in Bank Supervision. Describes employment opportunities for bank examiners in the Federal Deposit Insurance Corporation.

Symbol of Confidence. Popular perspective on the background, function, and operations of the Federal Deposit Insurance Corporation.

Survey of Deposits of Commercial and Mutual Savings Bank (June 30, 1966). A set of booklets consisting of:

Insurance Coverage of Bank Deposits; National Summary of Accounts and Deposits in all Commercial Banks.

Summary of Accounts and Deposits in All Commercial Banks, FDIC Districts 1–12 (1 booklet for each District).

Summary of Accounts and Deposits in All Mutual Savings Banks.

Assets and Liabilities of all Insured Banks. A semiannual release summarizing for the United States the assets and liabilities of all insured banks. Data for June published the following fall; data for December published following spring.

Income of Insured Commercial Banks. Released once a year in April (data on the previous year) giving leading items of income for all insured commercial banks.

Weekly Press Release. Lists actions taken by the Board of Directors with respect to applications by insured State nonmember banks.

(3) *Information made available to the public.* Except to the extent that the matters set forth in this paragraph relate to or contain information which is exempted from the public disclosure provisions of section 3 of the Administrative Procedure Act, as amended (5 U.S.C. 552), or other law, the Corporation makes available for public inspection and copying, upon request to the Secretary of the Corporation in its office in Washington, D.C., during normal business hours, (i) all final opinions (including concurring and dissenting opinions) and all orders made in the adjudication of cases, (ii) those statements of policy and interpretations which have been adopted by the Corporation and are not published in the FEDERAL REGISTER, and (iii) Manual of Examination Policies and Instructions to Liquidators. To the extent required to prevent a clearly unwarranted invasion of personal privacy, the Corporation may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction. In each case the justification for the deletion will be fully explained in writing. The Corporation also maintains and makes available for public inspection and copying a current index providing information for the public as to any matter which is issued, adopted, or promulgated after July 4, 1967, and which is required by the Administrative Procedure Act to be made available or published. The Corporation makes available at its Washington office and at each of the 12 Federal Reserve banks for public inspection and copying reports from insured State nonmember banks required under the provisions of section 12 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78). All requests for copies of records enumerated in subdivisions (i), (ii), and (iii) of this subparagraph must be accompanied by a deposit with the Corporation of the estimated costs of copying such records at the rate of 10 cents per page. Such requests must provide a reasonably specific description of the record sought which will enable the Corporation to locate the record or records without undue difficulty.

Except to the extent that the records relate to or contain information which is exempted from the public disclosure provisions of section 3 of the Administrative Procedure Act, as amended (5 U.S.C. 552) or other law, the Corporation upon request for identifiable records of the Corporation to the Secretary of the Corporation in its office in Washington, D.C., during normal business hours, will make such records available to any person who agrees to pay the costs of searching, preparing and copying such records at the rate of $5 per hour for searching and preparing and 10 cents per page for copying and has paid in advance to the Corporation the estimated costs thereof. Such requests must provide a reasonably specific description of the record sought which will enable the Corporation to locate the record without undue difficulty. Any denial by an officer or employee of the Corporation of a request for any information or record made under this part by an member of the public may be appealed by a written request to the Board of Directors of the Corporation from the person whose request is denied.

(b) *Unpublished information; confidential and privileged information.* All files, documents, reports, books, accounts, and records (collectively referred to as "records" in this section) pertaining to any bank, or the internal operations and affairs of the Corporation, in the possession or control of the Corporation or any officer, employee, or agent thereof, which are (1) exempt from disclosure by statute or executive order; (2) contained in or related to examination, operating, or condition reports prepared by or on behalf of, or for the use of the Corporation or any agency responsible for the supervision of financial institutions; (3) related solely to the internal personnel rules and practices of the Corporation; (4) privileged or relate to the business, personal, or financial affairs of any person and are furnished in confidence; (5) proceedings for cease and desist and suspension or removal orders or for the termination of the insured status of any bank; (6) interagency or intraagency memorandums or letters which would not be available by law to a private party in litigation with the Corporation; (7) investigatory records compiled for enforcement of the Federal Deposit Insurance Act and other statutes, except to the extent available by law to a private party; (8) personnel files and similar files (including financial files) the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and (9) records of deliberations and discussions at meetings of the Board of Directors and any committee established by the Board of Directors and exhibits filed therewith, and all facts or information relating to such exempt matters acquired by the officers, employees or agents of the Corporation in the performance of their official duties (collectively referred to as "information" in this section) are confidential and privileged and the disclosure thereof is prohibited except in the manner and to the extent provided for in this section.

(c) *Disclosure prohibited.* (1) Officers, employees, and agents of the Corporation are prohibited from allowing any person to inspect, examine, or copy any of said confidential or privileged records, or furnishing copies thereof, or disclosing any confidential and privileged information except as herein provided:

(i) The Chief of any Division having custody thereof, in his discretion, may release or furnish any records or information, other than the records enumerated in paragraph (b) of this section, and information acquired in reference thereto, to any governmental agency, State or Federal, in the exercise of its official duties and to any other person: *Provided, however,* That when such records or information are requested by any person other than a governmental agency, the Division Chief shall find that the release or disclosure is not exempted from public disclosure by law or detrimental or prejudicial to the bank or banks or person or persons from whom the records or information were obtained or received.

(ii) The Chief of the Division of Examination may furnish to any bank copies of any reports of examination or investigation of such bank (except the section of the report designated "confidential") and other information pertaining to its affairs: *Provided,* That copies of such reports of examination and other information so furnished to any bank shall remain the property of the Corporation and under no circumstances shall the bank or any of its directors, officials, or employees disclose or otherwise make public in any manner

such reports or any portion thereof or other information so furnished.

(iii) The Chief of the Division of Examination may furnish to the Comptroller of the Currency, to any Federal Reserve bank, and to any commission, board, or authority having supervision of a State nonmember bank, copies of reports of examination made on behalf of the Corporation and other information pertaining to insured nonmember banks for use in the exercise of their official duties: *Provided*, That such reports of examination and other information so furnished to such officials or agency shall remain the property of the Corporation and under no circumstances shall any such official or agency disclose or make public in any manner such reports or any portion thereof or other information so furnished.

(iv) The Chief of the Division of Examination may furnish to any official of the Department of Justice or to any State prosecuting authority any information regarding defalcations, burglaries, or robberies affecting insured banks.

(v) The Chief of the Division of Research may furnish to the Comptroller of the Currency, to any Federal Reserve bank, and to any commission, board, or authority having supervision of a State nonmember bank, copies of reports of condition made by insured banks to the Corporation including statements of assets, liabilities, and capital accounts, and of earnings, expenses and distribution of profits for use in the exercise of their official duties: *Provided*, That under no circumstances shall such Federal or State officials make public the contents of such reports or any portion thereof, except in the publication of general statistical reports.

(vi) The General Counsel of the Corporation may disclose to the proper Federal or State prosecuting authorities any and all records and information relating to irregularities discovered in open and closed insured banks believed to constitute violations of any Federal or State statute.

(vii) (a) The General Counsel may authorize the production of any record, the disclosure of any information, and the giving of any testimony with respect thereto, by any officer, employee, or agent of the Corporation, upon any proceeding, hearing, or trial, civil or criminal, in any Federal or State court or before any administrative board, commission, or committee, on behalf of or at the request of the Corporation or the United States where either is a party to or has an interest in the proceeding, hearing or trial, or any State prosecuting official, or the bank or person from whom such confidential and privileged records and information were received or obtained.

(b) The authorization hereunder may be given only in response to a subpoena or other legal process duly issued and served upon the Corporation at its principal office, which service may be by registered mail addressed to the Corporation at Washington, D.C., specifying the record requested, the nature and scope of the testimony to be elicited, the name of the witness and the place and time of appearance: *Provided*, That the General Counsel, in his discretion, may waive the requirement of service of subpoena or process when he believes it to be in the interest of justice to do so. Without such prior authorization, any officer, employee or agent of the Corporation required to respond to a subpoena or other legal process shall attend at the time and place therein mentioned and respectfully decline to produce any record or disclose any information or give any testimony with respect thereto, basing his refusal upon this rule.

(d) *Service of process on officer, employee, or agent.* Any officer, employee, or agent of the Corporation served with a subpoena, order, or other process requiring his personal attendance as a witness or the production of records or information upon any proceeding mentioned in paragraph (c) (1) (vii) of this section shall promptly advise (1) the court or tribunal which issued the process, and the attorney for the party at whose instance the process was issued, if known, of the substance of this rule, and (2) the General Counsel of the Corporation at Washington, D.C., of such service and of the records and information requested and of any facts which may be of assistance to the General Counsel in determining whether such records and information should be made available.

(e) *Authority of Chairman of Board of Directors.* Notwithstanding any of the foregoing provisions, the Chairman of the Board of Directors, in his discretion and pursuant to law, may authorize the production, examination, or inspection of any records, or the furnishing of copies thereof, or the disclosure of any information, or the Chairman, in his discretion, may direct the General Counsel or the Chief of any Division to refuse to permit the production, examination, or inspection of any records, or the furnishing of copies thereof, or the disclosure of any information, if he shall find such action to be in the best interests of the Corporation and consistent with the public interest and applicable law.

(f) *Publication of data.* The Board of Directors or the Chairman may from time to time authorize and direct the publication and public distribution of information and data compiled from the records of the Corporation.

In adopting the above amendments to the Corporation's rules and regulations the Board of Directors of the Corporation has found that (1) for good cause shown prior publication of notice of proposed rule making in the FEDERAL REGISTER and public participation in the making of rules under the provisions of the Administrative Procedure Act (5 U.S.C. 553) and Part 302 of the Corporation's rules and regulations (12 CFR 302.1–302.7) is not required with respect to the adoption of these amendments and such publication is impracticable, unnecessary and contrary to the public interest in that the amendments impose no additional duties or burdens upon the affected public but provide added benefits and privileges to the public, and (2) that a delay of not less than 30 days in the effective date of said amendments after their publication is not required by the provisions of the Administrative Procedure Act (5 U.S.C. 553) and Part 302 of the Corporation's rules and regulations (12 CFR 302.1–302.7), since the amendments relieve restrictions imposed by prior law and regulations and are therefore excepted from the 30 day prior publication before the effective date requirement of the Administrative Procedure Act.

FEDERAL DEPOSIT INSURANCE CORPORATION,
E. F. DOWNEY,
[SEAL] *Secretary.*

[F.R. Doc. 67-7535; Filed, July 3, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 7664; Amdts. 1-13 and 91-43]

PART 1—DEFINITIONS AND ABBREVIATIONS

PART 91—GENERAL OPERATING AND FLIGHT RULES

Careless or Reckless Ground Operation of Aircraft

The purpose of these amendments to Parts 1 and 91 of the Federal Aviation Regulations is to prohibit the careless or reckless ground operation of aircraft on the surface of an airport.

The substance of this rule was proposed in Notice 66-36 issued on October 7, 1966 (31 F.R. 13352). The majority of the public comments received concurred with the proposal. Some comments expressed the opinion that the careless or reckless operation provisions of § 91.9 already covered aircraft used not as an incident to flight, and that therefore the proposed rule was unnecessary. Several comments, that did not oppose the objectives of the proposal, offered counter suggestions to accomplish those objectives by training or qualification of personnel, or control over certain ground movements on the airport. Some comments recommended that the rule should be extended to areas outside an airport such as pastures or roads. These counter suggestion and recommendations are beyond the scope of the proposal and, of course, cannot be considered at this time. Finally, some concern was expressed as to the meaning of the term "use", as included in the proposal to designate the prohibited activity.

As a result of the public comments received, the proposal has been adopted, for the reasons stated in Notice 66-36. However, in view of several of the comments received, clarifying changes were made in the language of the rule.

The principal change in this regard is employment of the term "operate an

aircraft other than for the purpose of air navigation" instead of the proposed term "taxi or otherwise use an aircraft, not incident to flight". The former term is employed in this rule in order to clearly limit the applicability of the rule to those acts which impart some physical movement to the aircraft, or involve the manipulation of the controls of the aircraft such as starting or running an aircraft engine. This is the meaning of the term "operate" under § 91.9 and is the meaning generally given to that term under the motor vehicle laws. However, as distinguished from § 91.9, the acts prohibited by the rule as adopted herein are expressly limited to those not performed for the purpose of air navigation.

In order to remove any conflict with the meaning of the word "operate" as defined in Part 1 of the Federal Aviation Regulations and as used in other provisions of the regulations, these amendments also change the Part 1 definition of that word. This change in definition makes it clear that the word "operate" as employed in § 91.10 of this rule does not mean for the purpose of air navigation including the piloting of aircraft for that purpose. To further implement this change in meaning of the word "operate" as employed in § 91.10, the word has been eliminated elsewhere in that section where it would have connoted a different meaning. For this reason, the term "used by aircraft for air commerce" has been substituted for the term "used for the operation of aircraft in air commerce" as proposed by the notice.

Finally, in response to some comments, the language of the proposal was changed to specifically include within the term "surface of the airport used by aircraft for air commerce" the areas used by those aircraft for receiving or discharging passengers or cargo. This change will make it clear that the rule is not limited to the runways and taxiways of the airport surface.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all matter presented.

In consideration of the foregoing, Parts 1 and 91 of the Federal Aviation Regulations are amended as follows, effective August 3, 1967:

§ 1.1 [Amended]

1. By amending the definition of the word "operate" in § 1.1 to read as follows:

"Operate," with respect to aircraft, means use, cause to use or authorize to use aircraft, for the purpose (except as provided in § 91.10 of this chapter) of air navigation including the piloting of aircraft, with or without the right of legal control (as owner lessee, or otherwise).

2. By inserting the following new section after § 91.9:

§ 91.10 Careless or reckless operation other than for the purpose of air navigation.

No person may operate an aircraft other than for the purpose of air navigation, on any part of the surface of an airport used by aircraft for air commerce (including areas used by those aircraft for receiving or discharging persons or cargo), in a careless or reckless manner so as to endanger the life or property of another.

These amendments are made under the authority of (Secs. 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421).

Issued in Washington, D.C., on June 27, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-7527; Filed, July 3, 1967; 8:45 a.m.]

[Docket No. 8154; Amdt. 39-441]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Model 18 Airplanes

Pursuant to the authority delegated to me by the Administrator, an amendment to Airworthiness Directive 67-16-1 was adopted on June 23, 1967, and made effective immediately by individual airmail letters dated June 26, 1967, sent to all known owners of the Beech model airplanes referred to in said AD.

Initially, the agency issued an AD by telegram to the registered owners of Beech Model 18 airplanes and later published it as Amendment 39-419 in the FEDERAL REGISTER (32 F.R. 7205). This AD, numbered 67-16-1, and an amendment thereto published in the FEDERAL REGISTER Amendment 39-430 (32 F.R. 8024) required an initial inspection by both magnetic particle and X-ray procedures at four locations of the elliptical front spar lower cap of the wing center section on Beech Model 18 airplanes prior to further flight. Repetitive inspections were also required at not to exceed 200 hours' time in service from the last inspection.

A new AD was issued to all registered owners of these airplanes by airmail letter on June 15, 1967, and thereafter published in the FEDERAL REGISTER on June 23, 1967, as Amendment 39-437. This latter AD permits aircraft which had not yet received the initial inspection required by AD 67-16-1 to operate an additional 50 hours prior to the initial inspection, provided these aircraft are placarded to prohibit flight into known or suspected moderate or severe turbulence and are operated at a 500-pound reduction of the allowable gross weight.

As pointed out in the airmail letter issued June 15, 1967 and in the preamble of Amendment 39-437, the manufacturer and the agency were conducting further investigations to determine whether the interval between repetitive inspections could be safely extended. On the basis of these investigations, and as a result of inspections conducted under AD 67-16-1, the agency has determined that extension of the repetitive inspection interval from 200 hours' to 500 hours' time in service from the last inspection would not adversely affect safety. Therefore, the compliance paragraph of AD 67-16-1 is being amended to reflect this change.

Since the effect of this change relieves a restriction heretofore imposed by AD 67-16-1, it was found that notice and public procedure thereon was unnecessary and contrary to the public interest and good cause existed for making this amendment effective immediately as to all known owners of the airplanes. This situation still exists and the amendment to AD 67-16-1 is hereby published in the FEDERAL REGISTER by amending § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-419 (32 F.R. 7205), and the amendment thereto, AD 67-16-1 is amended as follows:

The compliance paragraph is amended to read as follows:

For airplanes with 1,500 or more total hours' time in service on the effective date of this AD or airplanes that subsequently accumulate 1,500 hours' total time in service after that date, in order to detect cracks in the elliptical front spar lower cap of the wing center section, accomplish the following before further flight (except as authorized by Amendments 39-437, published in the FEDERAL REGISTER on June 23, 1967) and thereafter at intervals not to exceed 500 hours' time in service from the date of the last inspection.

This amendment becomes effective July 4, 1967, for all persons except those to whom it was made effective by airmail letter dated June 26, 1967.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Kansas City, Mo., on June 26, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7525; Filed, July 3, 1967; 8:45 a.m.]

[Airspace Docket No. 67-SO-51]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Areas

On May 16, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 7291) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Waycross, Ga., and Valdosta, Ga., transition areas.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.d.s.t., September 14, 1967, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the Waycross, Ga., transition area is amended to read:

WAYCROSS, GA.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Waycross-Ware County Airport (latitude 31°14'55" N., longitude 82°23'48" W.); within 2 miles each side of the Waycross VORTAC 099° radial, extending from the 8-mile radius area to the VORTAC. The portion within a 1½-mile radius of Bivins Airport (latitude 31°11'45" N., longitude 82° 16'25" W.) is excluded.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the Valdosta, Ga., transition area is amended as follows: "* * * excluding that airspace which coincides with the Waycross, Ga. transition area * * *" is deleted.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on June 22, 1967.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 67-7526; Filed, July 3, 1967; 8:45 a.m.]

[Airspace Docket No. 67-WA-22]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Redesignation and Name Changes of Restricted Airspace and Alteration of Control Area

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to make an editorial change in the description of the continental control area and the names of R-2902A and R-2902B.

In January 1967, R-2902 was redesignated as R-2902A and R-2902B (32 F.R. 655) and on June 22, 1967 (32 F.R. 7392) the names of these areas were changed from Banana River, Fla., to Cape Kennedy, Fla. However, the description of the continental control area, Part 71.151, was not altered to reflect these changes. Accordingly, such action is taken herein.

Since these amendments are editorial in nature and do not alter the extent of the airspace concerned and furthermore, no additional burden is imposed on any persons, notice and public procedure hereon are unnecessary, and they may be made effective without regard to the statutory 30-day period preceding effectiveness.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

Section 71.151 (32 F.R. 2061) is amended as follows: "R-2902 Banana River, Fla." is deleted and the following are added in lieu thereof.

R-2902A Cape Kennedy, Fla.
R-2902B Cape Kennedy, Fla.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 27, 1967.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 67-7528; Filed, July 3, 1967; 8:45 a.m.]

[Airspace Docket No. 67-SW-42]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zones

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the descriptions of the Midland, Tex., control zone and transition area.

This action is necessary since the name of Midland Air Terminal has been changed to Midland-Odessa Regional Air Terminal. As this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and this amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective immediately, as herein set forth.

In §§ 71.171 (32 F.R. 2116) and 71.181 (32 F.R. 2221) the Midland, Tex., control zone and transition area are amended as follows: "Midland-Odessa Regional Air Terminal" is substituted for "Midland-Air Terminal" wherever it appears.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on June 23, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-7572; Filed, July 3, 1967; 8:47 a.m.]

[Airspace Docket No. 67-WE-25]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Control Area Extension and Designation of Transition Area

On page 7462 of the FEDERAL REGISTER dated May 19, 1967, the Federal Aviation Administration published a proposed regulation which would alter the controlled airspace in the Battle Mountain, Nev., area.

After consideration of such relevant matter as was presented by interested persons, the amendments as so proposed are hereby adopted, subject to the following change:

In § 71.181 the Battle Mountain, Nev., transition area description is changed by striking out "(latitude 40°36'00" N., longitude 116°52'15" W.)" in the third and fourth lines respectively, and inserting in place thereof "(latitude 40°35'55" N., longitude 116°52'25" W.)".

Effective date. These amendements are effective 0001 e.s.t., September 14, 1967.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 26, 1967.

ARVIN O. BASNIGHT,
Director, Western Region.

BATTLE MOUNTAIN, NEV.

That airspace extending upward from 700 feet above the surface, within a 5-mile radius of Lander County Airport (latitude 40°35'55" N., longitude 116°52'25" W.), and within 2 miles each side of the Battle Mountain VOR 218° radial, extending from the 5-mile radius area to 8 miles SW of the VOR; that airspace extending upward from 1,200 feet above the surface, within 9 miles N and 6 miles S of the Battle Mountain VOR 077° and 257° radials, extending from 18 miles E to 2 miles W of the VOR, within 8 miles NW and 5 miles SE of the Battle Mountain VOR 038° and 218° radials, extending from 4 miles NE to 14 miles SW of the VOR, and within 5 miles each side of the Battle Mountain VOR 218° radial, extending from 14 miles to 26 miles SW of the VOR.

[F.R. Doc 67-7573; Filed, July 3, 1967; 8:48 a.m.]

[Airspace Docket No. 66-SW-28]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Controlled Airspace

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Lake Charles, La., control area extension.

Since the Lake Charles, La., transition area provides the necessary controlled airspace for the protection of IFR operations in this area, the retention of the Lake Charles control area extension is unnecessary.

As all unnecessary controlled airspace is released to the public for other purposes, the burden upon the public is reduced. For this reason the Administrator finds that notice and public procedure hereon are unnecessary, and for this reason the amendments may become effective without regard to the 30-day statutory period preceding effectiveness.

Since this action involves, in part, navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 71.165 (32 F.R. 2068) the Lake Charles, La., control area extension is revoked.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on June 23, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-7574; Filed, July 3, 1967; 8:48 a.m.]

[Airspace Docket No. 67-WA-23]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alterations of Transition Areas and Control Area

A compilation of Parts 71, 73, and 75 of the Federal Aviation Regulations was published as F.R. Doc. No. 67-807 in Part II of the FEDERAL REGISTER on February 2, 1967. A continuing review of this document reveals typographical errors in Part 71.

Since these amendments are editorial in nature, in that they correct typographical errors, notice and public procedure thereon are unnecessary and they may be made effective in less than 30 days after publication.

In consideration of the foregoing, F.R. Doc. No. 67-807 is amended, effective immediately, as hereinafter set forth.

Section 71.181 (32 F.R. 2148) is amended as follows:

1. In the description of the Danville, Ill., transition area, "(latitude 40°11'55" N., longitude 37°35'40" W.)" is deleted and "(latitude 40°12'00" N., longitude 87°35'45" W.)" is substituted therefor.

2. In the description of the Philadelphia, Pa., transition area, "latitude 40°-24'20" N., longitude 75°45'40" W.," is deleted and "latitude 40°24'20" N., longitude 74°45'40" W.," is substituted therefor.

3. In the description of the Point Reyes, Calif., transition area "on the SW by V-137," is deleted and "on the SW by V-107," is substituted therefor.

Section 71.191 (32 F.R. 2274) is amended as follows: In the description of the Continental positive control area "the United States/Canadian border to latitude 45°40'20" N., longitude 67°46'-30" W.; thence to latitude 47°37'30" N." is deleted and "the United States/Canadian border to latitude 45°40'20" N., longitude 67°46'30" W.; thence to latitude 45°37'30" N." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 27, 1967.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-7575; Filed, July 3, 1967; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle A—Office of the Secretary of Commerce

PART 4—PUBLIC INFORMATION

In order to further implement section 552, Title 5, United States Code, as amended by Public Law 90-23, June 5, 1967 (81 Stat. 54), and pursuant to Department Order 64, Vol. 32, Issue 128, July 4, 1967, Part 4 of Subtitle A, Title 15, Code of Federal Regulations is hereby revised. Part 4 describes the arrangements whereby the materials specified in section 552(a)(2) are made available for public inspection and copying, and the procedures and other conditions whereby identifiable records requested by persons may be made available to them pursuant to section 552(a)(3). Part 4 is limited to information and records of the Office of the Secretary of Commerce, including its component staffs and offices, and of the National Bureau of Standards, the Office of Business Economics, the Office of State Technical Services, and the U.S. Travel Service, and certain former or transferred organizations of the Department. Rules pertaining to the availability of such information and records of other primary operating units of the Department of Commerce are set forth in their respective chapters of the Code of Federal Regulations or as they may otherwise provide. Part 4 is revised to read as follows:

Sec.
4.1 Scope and purpose.
4.2 Policies.
4.3 Definitions.
4.4 Publication in the FEDERAL REGISTER.
4.5 Availability of materials for inspection and copying.
4.6 Requests for identifiable records.
4.7 Determinations of availability of records.
4.8 Fees and charges.
4.9 Arrangements for public inspection and copying of available records.
4.10 Requests for reconsideration of non-available records.
4.11 Subpoena or other compulsory processes.

AUTHORITY: The provisions of this Part 4 are issued pursuant to 5 U.S.C. 552, 553; 5 U.S.C. 301; Reorganization Plan No. 5 of 1950; other authorities vested by law in the Secretary of Commerce applicable to the dissemination of records and other information of the Department, including charges therefor; and Department Order 64, Vol. 32, Issue 128, July 4, 1967.

§ 4.1 Scope and purpose.

(a) This part contains the rules whereby the materials specified in 5 U.S.C. 552(a)(2), and the identifiable records requested under 5 U.S.C. 552(a)(3), are to be made publicly available by the following organizations of the Department of Commerce:

(1) All components of the Office of the Secretary of Commerce,

(2) The Office of Business Economics,

(3) The United States Travel Service,

(4) The Office of State Technical Services,

(5) The National Bureau of Standards,

(6) The Business and Defense Services Administration,

(7) The Bureau of International Commerce,

(8) The Office of Field Services,

(9) The Office of Foreign Commercial Services,

(10) The Office of Administration (DIB),

(11) The Office of Publications and Information (DIB).

(b) These rules also apply to extant materials and records of former or transferred organizations of the Department, which are in the custody of, or whose availability is subject to the determination of one of the above organizations.

(c) Other operating units of the Department have established their own facilities and published their own rules in accord with the law in their respective chapters of the Code of Federal Regulations or as they otherwise may have provided in the FEDERAL REGISTER.

§ 4.2 Policies.

Policies and other factors to be considered in issuing these rules are set forth in Department Order 64, Vol. 32, Issue 128, July 4, 1967.

§ 4.3 Definitions.

(a) To the extent that terms used in this part are defined in 5 U.S.C. 551, they shall have the same definition herein.

(b) The terms "Office of the Secretary," and "operating unit" are defined in Department Order 83, "Organization of the Department of Commerce" (31 F.R. 3471; March 5, 1966), as amended.

§ 4.4 Publication in the Federal Register.

(a) Materials required to be published pursuant to the provisions of 5 U.S.C. 552(a)(1) have been and shall continue to be so published, in one of the following ways:

By publication in the FEDERAL REGISTER of the Department Orders of the Department of Commerce, including any supplements and appendices thereto, and of appropriate Secretary of Commerce Circulars and Department Administrative Orders;

(2) By publication in the FEDERAL REGISTER of agency rules and regulations, and by their subsequent inclusion in the Code of Federal Regulations;

(3) By publication in the FEDERAL REGISTER of appropriate general notices; and

(4) By other forms of publication, when incorporated by reference in the FEDERAL REGISTER with the approval of the Director of the Office of the Federal Register.

(b) Those materials which are published in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a)(1) shall, to the extent practicable and to further assist the public, be made available for inspection and copying at the facility identified in § 4.5(d).

§ 4.5 Availability of materials for inspection and copying.

(a) The Assistant Secretary for Administration shall, as provided in 5 U.S.C. 552(a)(2) and subject to other provisions of law, establish and maintain a reference facility for the public inspection and copying of:

(1) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(2) Those statements of policy and interpretations which have been adopted by the participating organizations and are not published in the FEDERAL REGISTER.

(3) Administrative staff manuals and instructions to staff that affect a member of the public;

(4) Current indices providing identifying information for the public as to any matter which is (i) issued, adopted, or promulgated after July 4, 1967, and (ii) required to be made available or published by section 552(a)(2);

(5) Records of the final votes of each member in every proceeding of an agency comprised of more than one member; and

(6) Such additional materials as each participating organization utilizing the reference facility may consider desirable and practicable to make available for the convenience of the public.

(b) Each participating organization may, to prevent unwarranted invasion of personal privacy, delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction, and shall, in each such case, explain in writing the justification for the deletion.

(c) The materials described in paragraph (a) of this section shall be provided for each participating organization listed in § 4.1.

(d) The materials described in paragraph (a) of this section may be inspected in the Central Reference and Records Inspection Facility, Room 2122, Commerce Building, 14th Street between Constitution Avenue and E Street NW., Washington, D.C. 20230. This facility is open to the public Monday through Friday of each week, except on official Federal holidays, between the hours of 9 a.m. and 4:30 p.m. There are no fees or formal requirements for such inspections. Coin-operated equipment for making copies of these materials is available for use by the public. In addition, copies of various Commerce materials regularly available for sale by the Department may be purchased from the facility.

(e) Correspondence concerning the materials available in the facility should be sent to the above address. The telephone number of the facility is WOrth 7-4676; Area Code 202.

§ 4.6 Requests for identifiable records.

(a) The procedures of this section are applicable only to the records of the organizations listed in § 4.1, and only to those records not customarily available to the public as part of the regular informational activities of the Department. Before availing himself of the application procedures specified herein, a person desiring to inspect or copy a record or obtain other information about or from one of the organizations listed in § 4.1 should contact the appropriate office responsible for providing such information to the public. Such offices are listed in one or more of the following: (1) The "public information appendices" to the relevant Department Orders, which are published in the FEDERAL REGISTER, (2) various guides and handbooks issued by the Department and its operating units, (3) the U.S. Government Organization Manual, and (4) the Department of Commerce Telephone Directory. The latter two publications are for sale by the Superintendent of Documents, Washington, D.C. 20402.

(b) If the appropriate public information office is not known, the public should direct its inquiries to the Central Reference and Records Inspection Facility, Department of Commerce, Washington, D.C. 20230. This facility will route the request, if it appears to be for information regularly available, to the appropriate information office; if the request is for other types of information, the facility will advise the inquirer as to how to proceed.

(c) A person who wishes to inspect a record of one of the organizations listed in § 4.1, and which is not a record customarily available to the public as part of the regular informational activities of the Department, should complete Form CD-244, "Application to Inspect Records," and submit this form, in person or by mail, to the central facility identified in § 4.5(d). Copies of Form CD-244 are available from the Central Reference and Records Inspection Facility, and from many public information offices and field offices of the Department.

(d) An application form shall be submitted for each record or group of records related to the same general subject matter. Each application form shall be accompanied by the nonrefundable application fee of $2.

(e) Detailed instructions for the completion of Form CD-244 are stated on the back of the form. Employees of the facility will assist the public to a reasonable extent in completing the form; however, the responsibility rests with the applicant for identifying each record sought in sufficient detail so that it can be located by personnel familiar with the filing of agency records. Each application shall clearly itemize, when there are more than one, each record requested so that it may be identified and its availability separately determined.

(f) The staff of the facility will review the application for completeness, and will record receipt of the fee. If the application appears in order, it shall be forwarded to the participating organization which would appear to have official custody of the requested record to determine whether it is an identifiable and disclosable record. If the application is incomplete in some substantial and material respect, it shall be promptly returned to the applicant to complete.

§ 4.7 Agency determinations of availability of records.

(a) The participating organization to which the application is sent shall initially determine:

(1) Whether the requested record can be identified on the basis of the information supplied by the applicant. If it cannot identify the record, the application shall be transmitted to the central facility for return to the applicant, specifying why it is not identifiable and what additional clarification, if any, the applicant may make to assist the organization in its identification.

(2) Whether the record, if identifiable, is still in existence or has been destroyed as provided by law, or is not in the possession of the organization. If the record no longer exists, the applicant shall be so notified, with the reason stated, via the central facility. If the record is not in the organization's possession and its existence is not otherwise reasonably ascertainable, the applicant shall be so notified via the central facility. If the requested record is in another organization of the Department, or is the exclusive or primary concern of another executive department or agency, the application for such record shall be promptly referred to that other organization or agency for further action under its rules, and the applicant shall be promptly informed of this referral via the central facility.

(b) If the requested record is identifiable and subject to the organization's determination as to its availability, the application shall be reviewed by an official authorized, pursuant to Department Order 64, to initially determine its availability. If he determines, as provided by law, that the record is not to be made available to the requesting person, said party shall receive in writing, via the central facility, the specific reason(s) why the record is not being disclosed, signed by the official making the determination.

(c) If the record is to be made available, and there are no further charges or fees, it shall be furnished to the requesting person via the central facility. If, in accord with § 4.8, there are additional costs to be recovered from the applicant, they shall be estimated and the applicant notified via the central facility that upon his payment of such estimated costs to the central facility, subject to adjustment as provided in § 4.8, the record shall be made available to him in the central facility or transmitted to him by it.

§ 4.8 Fees and charges.

(a) In accord with Congressional policies that services performed hereunder are to be self-sustaining, and as provided by law (e.g., 15 U.S.C. 189a, 192 and other applicable statutes), appropriate fees and charges are hereby established to cover costs for application handling, record searching, reproduction, certification, and authentication, and for related expenses incurred by the Department with respect to records made available upon request under 5 U.S.C. 552(a)(3).

(b) The following fees are hereby established and payable to the Department:

(1) Application fee—per application: $2. This fee is nonrefundable, and covers costs of accepting and reviewing the application, and making a determination as to the availability of the requested record, or group of related records.

(2) Records search fee—per hour per person: $5. This fee covers the costs of locating the desired record, transporting it by government messenger service to a point of inspection, supervising the inspection, and returning the record to its regular file. It also includes the costs of any copies of records made at the Department's option. The minimum fee charged for records search will be one-half hour ($2.50).

(3) Copies of records, if requested by applicant:

(i) Xerographic or similar process—Up to 9 by 14 inches (each page)	$0.25
(ii) Photocopy or similar process—Up to 12 by 18 inches (each copy)	1.00
Over 12 by 18 inches, but less than 18 by 25 inches (each)	2.00

(4) Other forms of reproduction, as may be required by the nature of the original records: Individual fee, sufficient to recover full cost.

(5) Certification fee, if requested (applicable to each certification): $1.

(6) Postage, registration, or other forwarding or packing fees: Actual cost. Applicable only if copies of records are requested to be shipped to a point other than the Central Reference and Records Inspection Facility.

(c) All fees and charges will be collected in advance. The applicant will be given an estimate of the cost of records search for each application where disclosure availability is authorized. If actual cost exceeds the estimate, the applicant will have the option of either paying any additional costs, or inspecting the requested record to the extent covered by his payment. If the advance estimated payment is $1 or more in excess of both the actual cost and the minimum charge, a refund will be made of the excess above the higher of these two amounts.

(d) The fees set forth in paragraph (b) of this section are based upon an initial estimate of the costs to be incurred in providing the indicated services and may be revised as necessary to insure the recovery of full costs by the Department.

(e) The fees established in paragraph (b) of this section are solely for services provided pursuant to 5 U.S.C. 552(a)(3), and do not affect fees charged for other Commerce services to the public, as may be performed under other authorities.

§ 4.9 Arrangements for public inspection and copying of disclosable agency records.

(a) Upon receipt of the records search fee, and any fees for additional services requested by the applicant, the requested record which has been determined to be available shall, unless the applicant has otherwise indicated, be transferred to the Central Reference and Records Inspection Facility, where it will be held for inspection by the applicant for 5 working days. The address and hours of operation of this facility are stated in § 4.5(d).

(b) During his inspection of the record at the facility, the applicant may copy by hand any portion of the record, may use the coin-operated copying equipment at the facility to make a copy thereof, and may obtain certification of a machine-copied record.

(c) No changes or alterations of any type may be made to the record being inspected, nor may any matter be added to or subtracted therefrom. Papers bound or otherwise assembled in a record file may not be disassembled during inspection. Staff of the facility shall provide assistance if disassembly of a record is necessary for copying purposes, and are authorized to supervise public inspection as necessary to protect the records of the Department. The public is reminded of Title 18, United States Code, section 2701(a), which makes it a crime to conceal, remove, mutilate, obliterate, or destroy any record filed in any public office, or to attempt to do any of the foregoing.

(d) If an applicant does not want to inspect a record by personal visit to the central facility, he may request that a copy thereof be mailed to him, upon payment of the copying and postage fees set forth in this § 4.8. Original copies of records of the organizations listed in § 4.1 shall not be sent to any location other than the central facility for public inspection pursuant to 5 U.S.C. 552(a)(3).

(e) Copies of transcripts of hearings in the possession of a participating organization may be made available for inspection when not in use. When copies of such transcripts are requested, if the organization's contract with a nongovernmental contractor requires that copies be sold only by the contractor, the applicant shall be referred to the contractor.

(f) A participating organization in its discretion, when appropriate in the interests of its program, may make exceptions to established charges.

§ 4.10 Requests for reconsideration of nonavailability.

(a) Any person whose application to inspect a record has been rejected because the record was not to be made available for stated reason(s), may request a reconsideration of the initial denial, as set forth herein.

(b) The request for reconsideration should be made by completing the applicable section of the Form CD-244, and returning it to the central facility within 30 days of the date of the original denial. (This date is shown on the Form CD-244.) No additional fee is required to obtain reconsideration. In submitting a request for reconsideration, the applicant should include any written arguments he desires to support his belief that the record requested should be made available. No personal appearance, oral argument, or hearing shall be permitted.

(c) The decision upon such review shall be made by the appropriate official designated in paragraph 4.01 of Department Order 64, and shall be based upon the original application, the denial, and any written argument submitted by the applicant.

(d) The decision upon review shall be promptly made in writing and communicated to the applicant. If the decision is wholly or partly in favor of the applicant, the requested record to such extent shall be made available for inspection, as described in §§ 4.8 and 4.9. To the extent that the decision is adverse to the request, the reasons for the denial shall be stated.

(e) A decision upon review completed as provided by § 4.10 shall constitute the final decision and action of the Department as to the availability of a requested record, except as may be required by court proceedings initiated pursuant to 5 U.S.C. 552(a)(3).

(f) Reconsiderations resulting in final decisions as prescribed herein shall be indexed and kept available for public reference in the central facility.

§ 4.11 Subpoena or other compulsory process.

Procedures applicable in the event of a subpoena, order, or other compulsory process or demand of a court or other authority are set forth in section 8 of Department Order 64.

Notice and public procedure are not necessary for the promulgation of this part since the rules contained herein are procedural rather than substantive in nature and relate to agency management.

Dated: June 29, 1967.

Effective date. This part shall become effective July 4, 1967.

LAWRENCE E. IMHOFF,
Acting Assistant Secretary for Administration.

[F.R. Doc. 67-7615; Filed, July 3, 1967; 8:51 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-1215]

PART 13—PROHIBITED TRADE PRACTICES

Adrian Thal, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods:* 13.30–30 Fur Products Labeling Act; § 13.73 *Formal regulatory and statutory requirements:* 13.7310 Fur Products Labeling Act; § 13.155 *Prices:* 13.155–40 Exaggerated as regular and customary. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845–30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Adrian Thal, Inc., et al., New York, N.Y., Docket C-1215, June 12, 1967.]

In the Matter of Adrian Thal, Inc., a Corporation, and Adrian Thal and Thelma Thal, Individually and as Officers of Said Corporation

Consent order requiring a New York City furrier to cease misbranding and deceptively advertising its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Adrian Thal, Inc., a corporation, and its officers, and Adrian Thal and Thelma Thal, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on a label affixed to such fur product.

3. Failing to set forth the term "natural" as part of the information required to be disclosed on a label under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on a label in the sequence required by Rule 30 of the aforesaid rules and regulations.

B. Falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Uses the word "Formerly" or words of similar import, to refer to any amount which is in excess of the price at which such merchandise has been sold or offered for sale in good faith by the respondents in the recent regular course of their business, or otherwise misrepresents the prices at which such merchandise has been sold, or offered for sale by respondents.

3. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

4. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 12, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-7557; Filed, July 3, 1967; 8:46 a.m.]

[Docket 6653o]

PART 13—PROHIBITED TRADE PRACTICES

Beatrice Foods Co.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets:* 13.5–20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18) [Order modifying a divestiture, Beatrice Foods Co., Chicago, Ill., Docket 6653, June 7, 1967]

Order modifying a divestiture order, dated December 10, 1965, 31 F.R. 1060, requiring a major food processing corporation to divest certain acquired companies by further requiring the corporation, pursuant to a final decree of May 23, 1967, by the Court of Appeals for the Ninth Circuit, to sell certain plants to a single purchaser to be approved in advance by the Commission.

The modified order of divestiture, is as follows:

Now, therefore, it is hereby ordered, That the order of December 10, 1965, be, and it hereby is, modified in accordance with the final decree of the Court to read as follows:

It is ordered, That:

I. Beatrice Foods Co. ("Beatrice"), within a period not exceeding eighteen (18) months from the effective date of this order, unless extended, shall divest itself absolutely and in good faith to a purchaser approved in advance by the Commission, of all plants which are owned in whole or in part by Beatrice or operated by Beatrice at Pasadena, Calif. (two plants); Cedar City, Utah; El Paso, Tex.; Roswell, N. Mex.; Albuquerque, N. Mex.; all locations in the State of Arizona; and Morgantown, W. Va., and which are engaged in the manufacturing, processing, or distribution of pasteurized and homogenized milks, buttermilks, skim milks, cream, half and half, sour cream, cottage cheese, ice cream, ice milk, mellorine-type products, sherbet, or water ices, together with all assets, properties, and businesses which are or may be used or conducted by Beatrice at or in conjunction with said plants, or added to said plants or utilized in replacement of said plants by Beatrice, as may be necessary to restore the properties as competitive entities, all as hereinafter provided.

Provided, however, That this order does not require that the plant, assets, properties and businesses located at Morgantown, W. Va., be sold to the purchaser of the other plants, assets, properties and businesses described above.

Provided further, however, That if, at the expiration of 1 year from the effective date of this order, Beatrice establishes that despite its good faith efforts it has been unable to dispose of the plants, assets, properties, and businesses described above—other than those located at Morgantown, W. Va.—to a single purchaser, Beatrice may dispose of said plants, assets, properties, and businesses to two or more purchasers, approved in advance by the Commission.

As used in this order the term "assets, properties, and businesses conducted by Beatrice at or in conjunction with said plants" shall include all dairy distribution stations and branches regardless of where located, which are owned in whole or in part by Beatrice or operated by Beatrice and supplied by any of said plants.

II. Such divestitures shall be effected subject to the following:

1. Upon the completion of such divestitures to the purchaser or purchasers (herein called the "transferee"), Beatrice, its officers, directors, agents, representatives, or employees shall not exercise any control or supervision over the policies, control, management, operation or acts of transferee, or any successor in interest to transferee: *Provided,* That where necessary for the successful operation of the business of the transferee, Beatrice may license for a limited period of time the use of any of its trademarks or trade names in the territory of the transferee subject to the prior approval by the Commission of each license and the terms thereof.

2. By those divestitures no interest shall be sold or transferred, directly or indirectly, to anyone who is at the time of the divestiture an officer, director, employee, or agent of, or directly, or indirectly under the control or direction of Beatrice or any of Beatrice's divisions, subsidiaries or affiliated corporations, or who owns or controls, directly or indirectly, more than one (1) percent of the outstanding shares of common stock of Beatrice without the prior approval of the Commission.

III. Beatrice shall cease and desist, for a period of ten (10) years from the effective date of this order from acquiring, directly or indirectly, any interest in any firm, corporate or noncorporate, engaged principally or as one of its major commodity lines at the time of such acquisition in any State of the United States or in the District of Columbia in the business of manufacturing, processing or distributing at wholesale or on retail milk routes any of the products described in paragraph I of this order,

without the prior approval of the Commission.

IV. Beatrice shall submit to the Commission every ninety (90) days a report in writing setting forth its efforts and progress in carrying out the divestiture requirements of this order until all assets have been divested with the approval of the Commission; and Beatrice shall submit to the Commission on the first day of each calendar year a report in writing setting forth its compliance with the cease and desist provisions of this order.

V. Beatrice shall notify the Commission of the names and addresses of all persons, firms, or corporations who shall express to Beatrice any interest in purchasing the plants, assets, properties, or businesses to be divested under the terms of this order, within thirty (30) days after having been informed of such interest.

By the Commission, Commissioner Elman not concurring, and Commissioners MacIntyre and Reilly not participating.

Issued: June 7, 1967.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-7558; Filed, July 3, 1967; 8:46 a.m.]

[Docket C-1214]

PART 13—PROHIBITED TRADE PRACTICES

Cornet & Morgenstern, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties:* 13.1053–35 Fur Products Labeling Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108–45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–30 Fur Products Labeling Act, 13.1185–90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–30 Fur Products Labeling Act; 13.1212–90 Wool Products Labeling Act; § 13.1325 *Source or origin:* 13.1325–70 Place: 13.1325–70(c) Foreign, in general. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845–30 Fur Products Labeling Act; 13.1845–80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–35 Fur Products Labeling Act; 13.1852–80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2–5, 54 Stat. 1128–1130; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68, 69f) [Cease and desist order, Cornet & Morgenstern, Inc., et al., New York, N.Y., Docket C–1214, June 12, 1967]

In the Matter of Cornet & Morgenstern, Inc., a Corporation, and William Morgenstern and William Cornet, Individually and as Officers of Said Corporation

Consent order requiring a New York City manufacturer of fur and wool products to cease misbranding and falsely invoicing its merchandise.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Cornet & Morgenstern, Inc., a corporation, and its officers, and William Morgenstern and William Cornet, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Falsely or deceptively labeling or otherwise falsely or deceptively identifying any such fur product as to the country of origin of furs contained in such fur product.

2. Falsely or deceptively labeling or otherwise falsely or deceptively identifying any such fur product as to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Representing, directly or by implication, on a label that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

5. Failing to set forth the term "natural" as part of the information required to be disclosed on a label under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

6. Failing to affix a label to such fur product, when used as a sample to promote or effect sales of fur products, showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Representing, directly or by implication, on an invoice that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. Failing to set forth on an invoice the item number or mark assigned to such fur product.

It is further ordered, That Cornet & Morgenstern, Inc., a corporation, and its officers, and William Morgenstern and William Cornet, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any fur product is not misbranded, falsely invoiced, or falsely and deceptively advertised when respondents have reason to believe that such fur product may be introduced, sold, transported, or distributed in commerce.

It is further ordered, That respondents Cornet and Morgenstern, Inc., a corporation, and its officers, and William Morgenstern and William Cornet, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

Misbranding wool products by: 1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to set forth the respective common generic names of fibers present in wool products in naming such fibers in required information on stamps, tags, labels, or other means of identification affixed to such wool products.

4. Setting forth information required under section 4(a)(2) of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder in abbreviated form.

5. Using the name of a specialty fiber in lieu of the word "wool" in describing such specialty fiber in nonrequired information or on a secondary label attached to the wool product without the name of the specialty fiber appearing in the required information on the required label affixed to such wool product.

6. Failing to affix labels to samples, swatches or specimens of wool products, used to promote or effect the sale of wool products, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(a)(2) of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

Issued: June 12, 1967.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-7559; Filed, July 3, 1967; 8:46 a.m.]

[Docket 8643o]

PART 13—PROHIBITED TRADE PRACTICES

Grove Laboratories, Inc.

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service:* 13.170–52 Medicinal, therapeutic, healthful, etc.

Subpart—Misrepresenting oneself and goods—Goods: § 13.1710 *Qualities or properties.*

(Sec 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Grove Laboratories, Inc., New York, N.Y., Docket 8643, June 13, 1967.]

Order requiring a New York City manufacturing drug firm to cease misrepresenting the therapeutic effects of two of its hemorrhoid preparations and other drug products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered,* That respondent Bristol-Myers Co., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from disseminating or causing the dissemination of any advertisement by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act:

A. In connection with the offering for sale, sale or distribution of The Pazo Formula Ointment and The Pazo Formula Hemorrhoid Suppositories, or any other product offered for sale for the treatment or relief of hemorrhoids or piles or any of its symptoms, which:

1. Represents directly or by implication that the use of such product will:

(a) Reduce or shrink hemorrhoids or hemorrhoidal tissue or membranes or reduce or shrink swelling associated with hemorrhoids;

(b) Avoid the need for surgery as a treatment for hemorrhoids or hemorrhoidal symptoms;

(c) Heal or cure hemorrhoids or promote the healing or curing of hemorrhoids;

(d) Afford any relief from pain or itching attributed to or caused by hemorrhoids in excess of affording some temporary relief in some cases of pain and itching associated with some types of hemorrhoids; or

(e) Afford any other type of relief or have any other therapeutic effect upon the condition known as hemorrhoids or upon any of the symptoms or manifestations thereof.

2. Contains any reference (a) to any word or words which implies or imply that said product will shrink hemorrhoids or (b) to any word or words which implies or imply that said product will provide any relief from pain or itching associated with hemorrhoids in excess of affording some temporary relief in some cases of pain and itching associated with some types of hemorrhoids;

3. Contains any general or specific reference to any ingredient either singly or in combination unless each such ingredient referred to is effective in the treatment of relief of hemorrhoids or any of its symptoms and unless the specific effect thereof is expressly and truthfully set forth; or

4. Makes any statement claiming or implying that said product is more effective in the treatment or relief of hemorrhoids than other preparations sold for the treatment or relief of hemorrhoids.

B. In connection with the offering for sale, sale or distribution of any "drug" within the meaning of the Federal Trade Commission Act, including without limitation, any product referred to in paragraph I(A) hereof, which misrepresents directly or by implication the efficacy of such drug.

II. *It is further ordered,* That respondent do forthwith cease and desist from disseminating or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of respondent's drugs in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in paragraphs I(A) and I(B) hereof.

III. In the event that respondent at any time in the future markets any preparation for the treatment or relief of hemorrhoids or any of its symptoms for which it desires to make any of the representations now prohibited under paragraph I(A) of this order, it may petition the Commission for a modification of the order. Such petition shall be accompanied by a showing that the representation is not false or misleading within the meaning of the Federal Trade Commission Act, and if such has been the case, that the specific representation has been approved by the Secretary of the Department of Health, Education, and Welfare under the provisions of the Federal Food, Drug, and Cosmetic Act as it is presently constituted or as it may hereafter be amended.

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order to cease and desist.

By "Final Order" further order is as follows:

Now therefore, it is hereby ordered, That the initial decision and proposed order of the hearing examiner be and they hereby are set aside in their entirety;

And it is further ordered, That the findings of fact, conclusions and order be and they hereby are entered and issued by the Commission in final disposition of this proceeding.

Issued: June 13, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-7560; Filed, July 3, 1967; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 140—ORGANIZATION, FUNCTIONS, AND PROCEDURES OF THE COMMODITY EXCHANGE AUTHORITY

Subpart A—Organizations

Sec.

140.1 Central office.
140.2 Regional offices.
140.3 Request for information and records, inspection, copying, and copy fees.
140.4 Records available to the public.
140.5 Appeals.
140.6 Compulsory process.

Subpart B—Functions and Procedures

140.10 Commodity Exchange Act.

AUTHORITY: The provisions of this Part 140 issued under 5 U.S.C. 552, 559.

Subpart A—Organization

§ 140.1 Central office.

(a) *General.* The principal office of the Commodity Exchange Authority is located at Washington, D.C., in the Administration Building, U.S. Department of Agriculture, and consists of the Office of the Administrator, Accounting and Licensing Division, Compliance Division, and Trading Division.

(b) *The Administrator.* Under the supervision of the Secretary of Agriculture and the general direction of the Assistant Secretary of Agriculture for Marketing and Consumer Services, the Administrator formulates, directs, and supervises the execution of the policies governing the activities of the Commodity Exchange authority; administers and is responsible for the enforcement of the Commodity Exchange Act, the orders of the Commodity Exchange Commission, and the orders and regulations of the Secretary of Agriculture promulgated under the Commodity Exchange Act. The administrator has final authority to issue calls and requests for information in con-

nection with the administration of the Commodity Exchange Act, as provided in regulations promulgated thereunder (Parts 1–21 of this chapter).

(c) *Divisions.* The divisions are as follows:

(1) *Accounting and Licensing Division.* Plans, directs, and conducts audits of books and records of futures commission merchants to assure proper segregation of customers' margins and accruing equities and to determine compliance with the recordkeeping and other requirements of the Commodity Exchange Act and regulations; analyzes financial statements of futures commission merchants submitted with their applications for registration; and receives and considers applications of commodity exchanges for designation as contract markets and recommends approval or disapproval; and registers futures commission merchants and floor brokers.

(2) *Compliance Division.* Investigates complaints and apparent violations of the Commodity Exchange Act; examines trade practices; recommends formal proceedings against violators; presents results of investigations to, and cooperates with, General Counsel's Office and the Department of Justice in the preparation of administrative and criminal cases; presents evidence and testimony in administrative and court proceedings; and reviews rules of contract markets.

(3) *Trading Division.* Provides continuous surveillance of futures trading and price movements to appraise market developments; assembles and analyzes futures trading statistics for market supervision from reports of clearing members of exchanges, futures commission merchants and large traders; evaluates and analyzes current market information and cash commodity and futures price trends and relationships; conducts marketwide surveys of all traders' holdings in futures; and prepares economic and statistical reports for administrative use and for publication.

§ 140.2 Regional offices.

Offices are located at Room 1200, Board of Trade Building, 141 West Jackson Boulevard, Chicago, Ill. 60604; Room 356, Board of Trade Building, 4800 Main Street, Kansas City, Mo. 64112; Room 510, Grain Exchange Building, 4th Street and 4th Avenue South, Minneapolis, Minn. 55415; Room 508, Cotton Exchange Building, 231 Carondelet Street, New Orleans, La. 70130; and Room 1202, 44 Beaver Street, New York, N.Y. 10004. Under the general supervision of the appropriate regional director, these regional offices direct, coordinate, and conduct all activities of the Commodity Exchange Authority incident to the administration of the Commodity Exchange Act within respective regional office areas.

§ 140.3 Request for information and records, inspection, copying and copy fees.

(a) Any person wishing information or wishing to inspect, copy or obtain copies of records of the Commodity Exchange Authority may make his request in person or in writing to the Assistant Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, or the appropriate Regional Director of the regional office listed in § 140.2. Public inspection and copying of materials will be permitted during official hours of business at the offices identified in §§ 140.1 and 140.2. Reasonable facilities for inspection, copying and for producing copies are provided at each of the offices of the Authority. All requests for copies of identifiable records should specify as clearly and accurately as reasonably possible the records desired.

(b) Except to the extent that copies are provided by the Authority without charge, copies of its records will be provided by the Authority, in accordance with the provisions of this part, to any person upon request and payment of the prescribed fees for copying and searching established by the Director, Office of Plant and Operations of the Department of Agriculture.

§ 140.4 Records available to the public.

All records of the Commodity Exchange Authority are available for public inspection and copying, except exempt records which include the following:

(a) Matters relating solely to internal personnel rules and practices of the Agency. Among such records are manuals and instructions establishing guidelines for the staff in auditing or investigation procedures.

(b) Matters specifically exempted from disclosure by statute. An example of such a statute is the Commodity Exchange Act as amended (7 U.S.C. 1–17a). Among such records are correspondence with traders, futures commission merchants and the public containing data and information that discloses the business transactions of any person or trade secrets or names of customers.

(c) Matters containing trade secrets and commercial or financial information obtained from a person and privileged or confidential. Included among these matters are applications for registration as floor brokers and futures commission merchants and the financial statements accompanying the applications for registration as futures commission merchants, and reports from clearing members, futures commission merchants and reporting traders regarding futures trades and positions.

(d) Interagency and intraagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Department. Included among these matters would be opinions of the General Counsel regarding the application of various provisions of the Commodity Exchange Act and regulations.

(e) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency. Included among these records would be investigation files and audit files.

(f) Matters specifically required by Executive order to be kept secret.

(g) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

§ 140.5 Appeals.

(a) Any person from whom agency records are withheld may file an appeal with the Administrator, Commodity Exchange Authority. The appeal should be filed within 30 days after the person is notified that the record is being withheld.

(b) The appeal must be in writing, describing the records denied, contain a statement of grounds upon which the appeal is based, and be signed by the appellant or his authorized representative.

(c) The Administrator shall determine availability of the record, and furnish the applicant written notice of his determination.

§ 140.6 Compulsory process.

Production or disclosure of any exempt record sought by compulsory process shall be handled as provided by the regulations of the Secretary of Agriculture in 7 CFR Part 1.

Subpart B—Functions and Procedures

§ 140.10 Commodity Exchange Act.

(a) The basic objective of the Commodity Exchange Act (42 Stat. 998, as amended; 7 U.S.C. 1–17a) is to protect and facilitate commerce in commodities designated by the act that are the subject of transactions involving the sale thereof on boards of trade (commodity exchanges) for future delivery and known as "futures." These commodities are: Wheat, cotton, rice, corn, oats, barley, rye, flaxseed, grain sorghums, millfeeds, butter, eggs, onions, Irish potatoes, wool, wool tops, fats and oils (including lard, tallow, cottonseed oil, peanut oil, soybean oil and all other fats and oils), cottonseed meal, cottonseed, peanuts, soybeans, and soybean meal.

(b) The functions and procedures of the Commodity Exchange Authority under this statute are designed to prevent price manipulation and corners; prevent dissemination of false and misleading crop and market information to influence prices; protect hedgers and other users of the commodity futures markets against cheating, fraud, and manipulative practices; insure the benefits of membership privileges on contract markets to cooperative associations of producers; insure trust-fund treatment of margin moneys and equities of hedgers and other traders and prevent the misuse of such funds by brokers; and provide general information to the public regarding trading operations on contract markets.

(c) The Commodity Exchange Authority receives and considers applications of commodity exchanges for designation as contract markets preliminary to final decision by the Secretary. Applicants denied designation by the Secretary may appeal to the Commodity Exchange Commission (42 Stat. 1001, as amended; 7 U.S.C. 8). Inquiries concerning procedure to be followed by

commodity exchanges in filing applications for designation as contract markets should be addressed to the Administrator.

(d) The Commodity Exchange Authority reviews rules of contract markets to determine conformity with statutory requirements; receives and considers applications for registration as futures commission merchants and as floor brokers, and prepares certificates of registration issued by the Secretary (42 Stat. 1000, as amended; 49 Stat. 1495; 49 Stat. 1497; 7 U.S.C. 6f, 7, 7a). Application forms may be procured from the central office of the Commodity Exchange Authority or from any regional office thereof.

(e) The Commodity Exchange Authority enforces limits on speculative transactions and positions established by the Commodity Exchange Commission; reviews crop and market news and reports; analyzes cash-commodity transactions; cooperates with control committees of contract markets; observes floor trading; investigates alleged and apparent violations of the act; conducts special trade practice investigations and surveys; investigates contract market delivery practices and procedures; audits books and records of futures commission merchants, floor brokers, and traders; analyzes futures commission merchants' financial statements submitted with their applications for registration; conducts analyses and appraisals of futures trading, cash-futures relationships, and price movements; and compiles and publishes reports and other informational material relating to operations on commodity exchanges. Reporting forms required of clearing members of contract markets; futures commission merchants and foreign brokers; traders; and merchants, processors, and dealers may be procured from any regional office.

(f) Substantive rules promulgated pursuant to the Commodity Exchange Act are set forth in Parts 1 through 150 of this title. Procedural rules are published as Part O of this title.

Effective date. The provisions of Subpart A and Subpart B of Part 140 are effective on July 4, 1967.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

JUNE 30, 1967.

[F.R. Doc. 67-7676; Filed, July 3, 1967; 8:54 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

PART 530—INTERPRETATIONS AND STATEMENTS OF POLICY

Interpretation of Shipping Act, 1916

Pursuant to section 43 of the Shipping Act, 1916 (46 U.S.C. 841a), and section 3(b)(3) of the Administrative Procedure Act (5 U.S.C. 522(b)(3)), the Commission hereby promulgates the following interpretive rule, effective on publication.

§ 530.7 Further interpretation of the Shipping Act, 1916.

Section 18(b)(2) of the Shipping Act, 1916, provides:

> * * * nor shall any new or initial rate of any common carrier by water in foreign commerce or conference of such carriers be instituted, except by the publication, and filing, as aforesaid, of a new tariff or tariffs which shall become effective not earlier than thirty days after the date of publication and filing thereof with the Commission * * *.

The Federal Maritime Commission interprets this provision to mean that when a carrier is duly admitted to membership in a conference as defined in General Order 13, § 536.1(c), and has not, prior to that membership, operated as a common carrier by water in the trade served by the conference, a revision to the conference tariff to name such carrier as a participant therein may become effective on or after the date of publication and filing with the Commission. In these circumstances the Commission does not consider said carrier's participation in the conference tariff to result in new or initial rates within the meaning of the aforequoted portion of section 18(b)(2).

THOMAS LISI,
Secretary.

[F.R. Doc. 67-7687; Filed, July 3, 1967; 8:55 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER D—APPROVED FORMS, FEDERAL POWER ACT

[Docket No. R-306; Order 350]

PART 131—FORMS

Minor Project License Applications; Exhibit Relating to Fish and Wildlife Resources

JUNE 28, 1967.

On August 1, 1966, the Commission issued a notice of proposed rule making in this proceeding (31 F.R. 10582, Aug. 6, 1966) wherein it proposed to amend Part 131 of the Commission's regulations to require the submission of an Exhibit S, relating to the conservation of fish and wildlife resources, with an application for license for proposed minor projects, i.e., unconstructed projects having 2,000 horsepower or less of installed capacity.

The submission of Exhibit S will expedite the processing of such applications by identifying potential problems with respect to fish and wildlife resources and suggesting possible solutions thereto earlier in the course of the proceeding than is now possible under existing procedures. It will also facilitate the Commission's compliance with the requirements of the Fish and Wildlife Coordination Act, as amended (16 U.S.C. sec. 666), for consultation with the U.S. Fish and Wildlife Service, Department of the Interior and appropriate state fish and wildlife agencies on the conservation of fish and wildlife resources affected by a project.

We received nine responses to the notice,[1] six of which expressed unqualified support of the proposed rule. The California Department of Fish and Game in commenting upon the instant rulemaking proposal, while strongly endorsing the proposed rule, recommends that it be made applicable to applications for new licenses for minor projects. We understand the Department's comments to mean applications by owners of constructed minor projects who may desire to seek relicensing thereof.

In reviewing the comments in this proceeding we have considered the question as to whether an Exhibit S requirement should be prescribed for applications covering constructed major projects, constructed minor projects and applications for relicensing of constructed minor projects. This proceeding follows an earlier rulemaking proceeding wherein the Commission prescribed Exhibit S as a requirement of license applications for unconstructed major projects pursuant to section 4(e) of the Federal Power Act and constructed major projects for which relicensing may be sought pursuant to section 15 of that Act.

In view of the notice of proposed rulemaking in this docket our action here will be limited to prescribing an Exhibit S requirement for unconstructed minor projects. We shall, however, consider the desirability of further amending our regulations to prescribe an Exhibit S type of requirement in license applications for constructed minor projects and constructed major projects, as well as in the relicensing of constructed minor projects. Pending the conclusion of that review and the completion of any Commission action thereon the Commission will require, in applications, in individual cases, particular information o fthe type covered by Exhibit S as may be desirable, not otherwise provided pursuant to existing general regulations.

The Utah Department of Fish and Game suggests that a more adequate appraisal of the fish and wildlife resources of a project area would be obtained if the U.S. Fish and Wildlife Service and the appropriate State fish and game agency be assigned the responsibility of preparing the Exhibit S in lieu of the license applicant. The preparation, however, of exhibits in support of an application is a responsibility of the applicant and should not be transferred to other agencies. Since the applicant is required to consult with the other agencies in connection with the preparation of its

[1] (1) Idaho Fish and Game Department, (2) Commonwealth of Pennsylvania, Department of Forests and Waters, (3) State of Utah, Department of Fish and Game, (4) Public Service Commission of Wisconsin, (5) State of California Department of Fish and Game, (6) State of Washington Department of Game, (7) the Commonwealth of Massachusetts, Division of Fisheries and Game, (8) State of Arkansas, Game and Fish Commission, and (9) the Department of the Interior.

Exhibit S and since they will be given an opportunity to comment on the exhibit following its submittal, we believe that substantially the same result will obtain.

The Public Service Commission of Wisconsin requests that the proposed rule be so worded that license applications for minor and major projects under the Federal Power Act which involve systems subject to Wisconsin's regulatory authority reflect determinations and procedures made by Wisconsin regarding plant operation, investment and hydraulic flows. The Wisconsin Commission additionally requests that language be added to the proposed rule requiring a description of the effect of the proposed project on riparians and other water users and the applicant's consultation and cooperation with the state regulatory commission that enforces statutes or regulates the water right of riparian or use, level and flow of water. In our judgment it would be inappropriate to incorporate such proposals in this order.

To the extent that an Exhibit S of a license application may deal with plant operation, investment, flows or water rights of interest to the Wisconsin Public Service Commission, it would be given notice of the filing of such application under existing Commission procedures. In addition, pursuant to the Fish and Wildlife Coordination Act, copies of the Exhibit S would be sent to the appropriate State fish and wildlife agencies, which would include Wisconsin's Department of Resources Development which we understand is interested in the protection of fish and aquatic life. Moreover, the rule as proposed would require consultation by the applicant with these agencies on matters of fish and wildlife prior to the filing of Exhibit S. Thus, both under existing Commission procedures and the proposed rule, ample consultative opportunities are afforded interested parties to make their views known to this Commission prior to licensing of a project.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 4(e), 9, 10(a), 10(i), and 309 thereof (41 Stat. 1065, 1068, 49 Stat. 858; 16 U.S.C. 797(e), 802, 803, 825h), orders:

(A) Part 131, Subchapter D, Chapter I, Title 18 of the Code of Federal Regulations is amended as hereinafter set forth:

Section 131.6 is amended by revising the first paragraph of the Note appended to the section and adding a new paragraph at the end of the note as follows:

§ 131.6 Application for license for minor project having installed capacity of 2,000 horsepower or less.

* * * * *

NOTE: The following requirements are prescribed with respect to the filing of: the project map as Exhibit K; the plans of structure as Exhibit L; and the information relating to the conservation of fish and wildlife resources as Exhibit S.

* * * * *

Exhibit S, to be submitted with applications for unconstructed projects, shall show the following information:

The effect, if any, of the project upon the fish and wildlife resources in the project area or in other areas affected by the project and proposals for measures considered necessary to conserve and, if possible, to enhance fish and wildlife resources affected by the project. The exhibit shall include functional design drawings of any fish ladders proposed to be constructed in compliance with section 18 of the Federal Power Act, such other facilities or developments as may be necessary for the protection, conservation, improvement and mitigation of losses of fish and wildlife resources in accordance with section 10(a) of the Act, and cost estimates for such facilities and developments. The Applicant shall prepare this exhibit on the basis of studies made after consultation and in cooperation with the U.S. Fish and Wildlife Service, Department of the Interior, and appropriate State fish and wildlife agencies and in case of public lands, advise Federal Agencies having jurisdictional responsibilities therefor of its proposed plans. The exhibit shall include a statement on the nature and extent of applicant's consultation and cooperation with the above agencies.

(B) This amendment shall become effective July 27, 1967.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-7552; Filed, July 3, 1967; 8:46 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 200—PROCEDURES AND FORMS

PART 262—MISCELLANEOUS

Public Information

Pursuant to the general authority contained in section 10 of the a . of June 24, 1937 (50 Stat. 314, as amended; 45 U.S.C. 228j) and in section 12 of the act of June 25, 1938 (52 Stat. 1107, as amended; 45 U.S.C. 362), § 200.3 is added to Part 200, and paragraphs (c) and (d) of § 262.16 and the parenthetical reference at the end of § 262.16 of Part 262 (20 CFR 262.16) of the regulations under such acts are amended by Board Order 67-84, dated June 28, 1967, to read as follows:

§ 200.3 Availability of information to public.

(a) The following materials (more particularly described in para. (d) of this section), with identifying details deleted pursuant to paragraph (b) of this section, are available for public inspection and copying:

(1) All final opinions (including concurring and dissenting opinions), and all orders made in the adjudication of cases, which have precedential effect;

(2) All statements of policy and interpretations which have been adopted by the Board, or by anyone under authority delegated by the Board, which have not been published in the FEDERAL REGISTER; and

(3) Administrative staff manuals and instructions to staff that affect any member of the public.

(b) The identifying details to be deleted shall include, but not be limited to, names and identifying numbers of employees and other individuals as needed to comply with section 12 (d) and (n) of the Railroad Unemployment Insurance Act, section 10(b)6 of the Railroad Retirement Act, and § 262.16 of this chapter, or to prevent a clearly unwarranted invasion of personal privacy.

(c) There shall be maintained in the Library, and made available for public inspection and copying, a current index of any of the materials referred to in paragraph (a) of this section which are issued, adopted, or promulgated after July 4, 1967. However, indexes in the material itself, and any index maintained in the offices of the Board for the use of the Board's employees which is made available for public inspection and copying, may be incorporated by reference.

(d) The materials and indexes thereto shall be kept, and made available to the public upon request, in the bureaus and offices of the Board which produce or utilize the materials. The following materials currently in use shall, as long as they are in effect as precedents and instructions, be made available in offices of the Board at 844 Rush Street, Chicago:

(1) In the Bureau of Retirement Claims: The Retirement Claims Manual, RCM Circulars, Special Services Manual, Policy Decisions, Procedural Memoranda containing information on the adjudication of claims not contained in the Retirement Claims Manual or in RCM Circulars, Instructions and Circular Letters to Employers, Field Operating Manual (Parts I and VI), FOM Circulars and Memoranda, and the Occupational Disability Rating Schedule.

(2) In the Bureau of Unemployment and Sickness Insurance: the Adjudication Instruction Manual, Regional Operating Manual (Part I), Field Operating Manual (Part II), FOM Circulars and memoranda, Bureau of Unemployment and Sickness Insurance Circulars, Memorandum Opinions, memorandum instructions on adjudication, and circular letters of instruction to railroad officials.

(3) In the Bureau of Data Processing and Accounts: the Instructions to Employers, and Circular Letters to Employers.

(4) In the Bureau of Law: Legal Opinions.

(5) In the Office of the Secretary of the Board: Decisions and rulings of the Board.

Regional offices and field offices shall also make available to the extent practicable such of these materials and indexes as

are furnished them in the ordinary course of business.

(e) The copies of manuals and instructions made available for public copying and inspection shall not include:

(1) Confidential statements, standards, and instructions, such as tolerance rules, assumptions, and guidelines, which cannot be disclosed to the public without adversely affecting the administration of the Acts, and

(2) Instructions not affecting the public (such as those relating solely to processing and procedure, to management, or to personnel) which it is feasible to separate from instructions that do affect the public.

(f) Except as to records relating to individuals (see § 262.16 of this chapter), records other than those made available under paragraphs (a), (c), and (d) of this section shall, upon receipt of a request identifying them, be made promptly available to the person requesting them unless they are exempted from disclosure by the provisions of 5 U.S.C. 552(b). A request may be made orally or in writing, without any special form. All written requests should be addressed to the Board, or to the head of the bureau or office having jurisdiction over the subject matter of the desired records, at 844 Rush Street, Chicago, Ill. 60611. Requests will be received and processed only during working hours of the Board, on days of business. When the retrieval of the record requested, or the furnishing of a copy, entails substantial and ascertainable additional expense to the Board, charge may be made in the amount of that cost, and shall be paid to the Director of Budget and Fiscal Operations.

(g) Any person whose request for materials or records under any paragraph of this section has been denied by a subordinate employee shall be entitled to have his request considered promptly by the head of the bureau or office having custody of such materials or records.

§ 262.16 Records and other papers of the Board; disclosure; service of process.

* * * * *

(c) When any document described in paragraph (a) of this section is called for by a subpena duces tecum or other judicial order upon the Board for production, inspection, or disclosure thereof, issued by a court of competent jurisdiction in a proceeding in which such document is relevant, a copy of such document, certified by the Secretary of the Board as a true copy, will be produced, disclosed, or delivered if such production is in the interest of the employee to whom the document pertains, or is in the interest of the estate of such employee, and such document does not consist of or include a report of medical information.

(d) When pursuant to paragraph (c) of this section the production, disclosure, or delivery of any document described in paragraph (a) of this section is not permitted, no member, officer, agent, or employee of the Board shall make any disclosure or testify with respect to such document.

* * * * *

(Sec. 12 (d) and (n), 52 Stat. 1167, as amended, 45 U.S.C. 362 (d) and (n); sec. 108, 80 Stat. 1065, 45 U.S.C. 228j(b)6)

Dated: June 29, 1967.

By authority of the Board.

LAWRENCE GARLAND,
Secretary of the Board.

[F.R. Doc. 67-7691; Filed, July 3, 1967; 8:55 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 12]

PART 212—PUBLIC INFORMATION

Part 212 of Chapter II of Title 22 is added.

Subpart A—General

Sec.
212.1 Statement of policy.

Subpart B—Publication in the Federal Register

212.11 Materials to be published.
212.12 Effect of nonpublication.
212.13 Incorporation by reference.

Subpart C—Availability of Information for Public Inspection and Copying

212.21 Public records.
212.22 Protection of personal privacy.
212.23 Current index.
212.24 Effect of noncompliance.
212.25 Offices where materials are available.

Subpart D—Access to Identifiable Records

212.31 Access to identifiable records.
212.32 Identification of records.
212.33 Procedure for making requests.
212.34 Denial of request for access to records.
212.35 Schedule of fees and method of payment for services rendered.

Subpart E—Exemptions From Disclosure

212.41 Exemptions from the publication and disclosure requirements of Subparts B, C and D.
2212.42 Guidance in application of exemptions.

Subpart F—Access to Classified Foreign Policy Records for Nonofficial Research Purposes

212.51 General policy.

AUTHORITY: The provisions of Part 212 are issued under sec. 621 of the Foreign Assistance Act of 1961, as amended, 75 Stat. 445 (22 U.S.C. 2402), Executive Order 10501, as amended by Executive Order 10816, and sec. 3 of the Administrative Procedure Act, 60 Stat. 237, as revised by Public Law 89-497, 80 Stat. 250 (5 U.S.C. 552).

Subpart A—General

§ 212.1 Statement of policy.

(a) It is the policy of the Agency for International Development that information about its objectives and operations be freely available to the public, in accordance with the provisions of Public Law 89-497 (80 Stat. 250). The Director, Information Staff is responsible for administration of the provisions of the regulations of this part.

(b) All identifiable records of the Agency for International Development shall be made available to the public upon compliance with the procedures established in this regulation, except to the extent a record is determined to be exempt from disclosure by the Director, Information Staff or the Assistant Administrator for Administration.

Subpart B—Publication in the Federal Register

§ 212.11 Materials to be published.

(a) The Agency separately states and currently publishes in the FEDERAL REGISTER for the guidance of the public:

(1) Descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions;

(2) Statements of the general course and method by which its functions are channelled and determined, including the nature and requirements of all formal and informal procedures available;

(3) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations;

(4) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the Agency; and

(5) Every amendment, revision or repeal of the foregoing.

(b) A.I.D. Public Notice No. 1 and the A.I.D. Regulations published in Chapter II of Title 22, and in Sub-Title A, Chapter 7 of Title 41 of the Code of Federal Regulations, implement the provisions of this section.

§ 212.12 Effect of nonpublication.

Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by any A.I.D. matter required to be published in the FEDERAL REGISTER and not so published.

§ 212.13 Incorporation by reference.

For purposes of this Subpart B, A.I.D. matter which is reasonably available to the class of persons affected thereby is deemed to be published in the FEDERAL REGISTER when it has been incorporated by reference therein with the approval of the Director of the Federal Register.

Subpart C—Availability of Information for Public Inspection and Copying

§ 212.21 Public records.

In accordance with this subpart, A.I.D. makes the following information and materials available for public inspection and copying:

(a) All final opinions (including concurring and dissenting opinions), and all orders made in the adjudication of cases;

(b) Those statements of policy and interpretations which have been adopted by the Agency and are not published in the FEDERAL REGISTER; and

(c) Administrative staff manuals and instructions to staff that affect any member of the public.

§ 212.22 Protection of personal privacy.

To the extent required to prevent a clearly unwarranted invasion of personal privacy, the Agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction, and will, in each such case, explain in writing the justification for the deletion.

§ 212.23 Current index.

The Agency maintains and makes available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted, or promulgated after July 4, 1967, and which is required by § 212.21 to be made available or published.

§ 212.24 Effect of noncompliance.

No final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects any member of the public will be relied upon, used, or cited as precedent by the Agency against any private party unless it has been indexed and either made available or published as provided by this subpart, or unless that private party shall have actual and timely notice of the terms thereof.

§ 212.25 Offices where materials are available.

The materials required to be made available for public inspection and copying in accordance with this subpart are available to members of the public who apply in person (a) to the Director, Information Staff, Agency for International Development, Department of State, 21st and Virginia Avenue NW., Washington, D.C. 20523; (b) overseas, to the Director, USAID, care of American Embassy, in the countries in which AID has offices abroad. The schedule of fees which is prescribed for the copying service is set forth in § 212.34.

Subpart D—Access to Identifiable Records

§ 212.31 Access to identifiable records.

Upon request for identifiable records made in accordance with the provisions of this subpart the Agency for International Development will make such records promptly available to any person, except the following: (a) Matters published in the FEDERAL REGISTER pursuant to Subpart B; (b) matters made available to the public pursuant to Subpart C; and (c) matters exempt from disclosure pursuant to § 212.41.

§ 212.32 Identification of records.

The request for a record by a member of the public must contain a reasonably specific description of the particular record sought, such as the subject matter, format, approximate date, and where pertinent, the name of the country or person involved, to facilitate the search for the requested record.

§ 212.33 Procedure for making requests.

(a) Access to identifiable records may be requested by a member of the public either in person from 9 a.m. to 5 p.m. Monday through Friday, except on Holidays, or by mail, from the Director, Information Staff, Agency for International Development, Room 4898, Department of State, 21st and Virginia Avenue NW., Washington, D.C. 20523. Requests may be made in person or by mail to the Director, USAID, care of American Embassy, in countries where AID has offices abroad. If the USAID office abroad does not have the record requested the member of the public will be so informed and the inquirer will be referred to the Director, Information Staff in Washington for the requested information.

(b) In view of the decentralized nature of the files of the Agency it will generally not be possible to make the requested records available for access immediately but records will be made available as promptly as possible.

(c) Original or record copies of records will not be permitted to be released from Agency files. Copies, duly certified upon request, will be furnished in lieu thereof, upon payment of the prescribed fee. See § 212.35.

(d) Requests for records which originated in another Agency will be referred to the originating Agency for appropriate action.

§ 212.34 Denial of request for access to records.

(a) If a request for access to an identifiable record is denied, the person submitting the request will be promptly advised of the denial and furnished the specific reasons therefor in writing.

(b) The denial of a request from a member of the public for access to an identifiable record may be made only by the Director, Information Staff, or the Assistant Administrator for Administration. The General Counsel shall be consulted prior to a decision to deny access.

(c) A member of the public who has been denied access to an identifiable record pursuant to this section may appeal such decision. The appeal shall be in writing addressed to the Administrator or Deputy Administrator, Agency for International Development, 21st and Virginia Avenue NW., Washington, D.C. 20523. It should contain the identity of the specific record sought and withheld, a copy of the initial decision to deny access, and any other information that will enable the Administrator or Deputy Administrator to make the final decision.

§ 212.35 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this subpart:

(1) Searching for records, per hour or fraction thereof	$3.50
(2) Other facilitative services and index assistance—minimum charge, per hour or fraction thereof	3.50
(3) Copies made by photostat or otherwise (per page)	.40
(4) Certification of each record as a true copy	.75
(5) Certification of each record as a true copy, under the seal of the Agency	1.00
(6) For each signed statement of negative result of search for record	1.00
(7) For each signed statement of non-availability of record	No fee

(b) When no specific fee has been established for a service, or the request for a service does not fall under one of the above categories due to the amount or size or type thereof, the Director, Information Staff, or the Director, USAID, is authorized to establish an appropriate fee pursuant to the criteria established in Bureau of the Budget Circular No. A-25, entitled "User Charges."

(c) When a request for identifiable records is made by mail pursuant to § 212.33, it should be accompanied by remittance of the total fee chargeable, as well as a self-addressed stamped envelope, if special mail services are desired.

(d) Fees must be paid in full prior to issuance of requested copies of records. If uncertainty as to the existence of a record, or as to the number of sheets to be copied or certified precludes remitting the exact fee chargeable with the request, the Agency will inform the interested party of the exact amount required.

(e) Payment shall be in the form of a check, bank draft, money order, or if personally delivered may be made in cash. Remittances shall be made payable to the order of the Agency for International Development. The Agency will assume no responsibility for cash which is lost in the mail.

(f) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

Subpart E—Exemptions From Disclosure

§ 212.41 Exemptions from the publication and disclosure requirements of Subparts B, C, and D.

None of the provisions of Subparts B, C, and D which provide for publication and disclosure of certain information and records shall be applicable to matters that are:

(a) Specifically required by Executive Order to be kept secret in the interest of national defense or foreign policy;

(b) Related solely to the internal personnel rules and practices of the agency;

(c) Specifically exempted from disclosure by statute;

(d) Trade secrets and commercial or financial information obtained from any person and privileged or confidential;

(e) Interagency or intra-agency memorandums or letters which would not be available by law to a private party in litigation with the Agency;

(f) Personnel and medical files and similar files the disclosure of which

would constitute a clearly unwarranted invasion of personal privacy;

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a private party;

(h) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions; and

(i) Geological and geophysical information and data (including maps) concerning wells.

§ 212.42 Guidance in application of exemptions.

Any officer or employee of the Agency who has doubts concerning the applicability of the withholding exemptions set forth in § 212.41 shall consult the Director, Information Staff, prior to release of a record for which access has been requested from a member of the public.

Subpart F—Access to Classified Foreign Policy Records for Nonofficial Research Purposes

§ 212.51 General policy.

(1) In accordance with the policy of the Department of State, the Agency for International Development permits access to its classified foreign policy records by individuals engaged in private research as liberally as possible, consistent with the national interest, the maintenance of friendly relations with other nations, the efficient operation of the agency, and the administrative feasibility of servicing requests for access to such records.

(2) Access for research in the classified foreign policy records in A.I.D.'s custody will be governed by the regulations of the Department of State in respect thereto. Application for such access may be made to the Director, Information Staff, Agency for International Development, 21st and Virginia Avenue NW., Washington, D.C. 20523. The Director, Information Staff, in consultation with the Director, Historical Office, Department of State, will determine the action to be taken and advise the researcher. The regulations of the Department are in § 6.9 of Part 6, Chapter 1, of Title 22 of the Code of Federal Regulations.

Effective date: This regulation is effective July 4, 1967.

Dated: June 29, 1967.

WILLIAM S. GAUD,
Administrator.

[F.R. Doc. 67-7647; Filed, July 3, 1967; 8:53 a.m.]

Chapter III—Peace Corps

PART 302—ORGANIZATION

PART 303—AVAILABILITY OF RECORDS OF THE PEACE CORPS

Parts 302 and 303 are added to Chapter III of Title 22 of the Code of Federal Regulations to read as follows:

Sec.
302.1 Introduction.
302.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements of the general course and method by which its functions are channeled and determined.
302.3 Rules of procedure, description of forms available or the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.
302.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

AUTHORITY: The provisions of this Part 302 issued under sec. 4(b) of Public Law 87-293, 75 Stat. 612, 22 U.S.C. 2503(b); Executive Order No. 11041, as amended; State Department Delegation of Authority No. 85-11A, as amended; Executive Order No. 10501, as amended; 5 U.S.C. 552.

§ 302.1 Introduction.

The regulations of this part are issued pursuant to section 3 of the Administrative Procedure Act, 5 U.S.C. 552, effective July 4, 1967.

§ 302.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements of the general course and method by which its functions are channeled and determined.

(a) The following are statements of the central and field organization of the Peace Corps:

(1) *Central Organization*—(i) *Director.* As head of the Peace Corps, the Director is responsible to the Secretary of State for all the activities of the agency. He is assisted by a Deputy Director and several staff units.

(ii) *Regional Offices for Africa; East Asia and Pacific; Latin America; and North Africa, Near East and South Asia.* These offices are responsible for the negotiation, establishment, and operation of Peace Corps projects overseas. They also provide, on behalf of the Director, policy guidance and immediate supervision to Peace Corps staff and operations overseas.

(iii) *Office of Administration.* This office develops management policies and objectives for the Peace Corps and is responsible for auditing, personnel administration, administrative services, and management planning.

(iv) *Office of Contracts.* This office negotiates and administers Peace Corps service contracts for such purposes as training, overseas administration, and research.

(v) *Office of Controller.* This office is responsible for all budget and fiscal matters.

(vi) *Office of Evaluation and Research.* This office conducts a systematic program evaluation designed to strengthen the processes of selection, training, and overseas utilization of volunteers. It also conducts research programs.

(vii) *Office of General Counsel.* This office provides advice and opinions on all legal matters with which the Peace Corps is concerned.

(viii) *Office of Medical Programs.* This office is responsible for assuring that effective attention is paid to health considerations at each stage of planning and operations, including health evaluation of projects, physical examination of volunteers, and health care and instruction during training and overseas service.

(ix) *National Voluntary Service Programs.* This program encourages and assists other countries in the development of Peace Corps-type programs, both for domestic and international service.

(x) *Office of Planning and Program Review.* This office reviews, coordinates, and helps develop all Peace Corps programs overseas. It advises the Director on long-range Peace Corps goals and on planning and programming systems relating to the effective use of Volunteers abroad.

(xi) *Office of Public Affairs.* This office makes available throughout the United States knowledge of the opportunities for service and the requirements and conditions of service of the Peace Corps Volunteer.

(xii) *Office of Public Information.* This office serves as the central spokesman of the Peace Corps regarding its programs, needs and accomplishments, and responds to requests for information on these subjects.

(xiii) *School Partnership Program.* This program is designed to coordinate and expand the number of partnerships between American schools and communities overseas in a program of self-help school construction.

(xiv) *Office of Selection.* This office is responsible for the development and implementation of all policy and procedures for the selection of Peace Corps Volunteers, from receipt of application to overseas departure.

(xv) *Office of Training and Staff Training Center.* This office plans, organizes, and implements training projects with the purpose of providing Peace Corps countries with a complement of Volunteers and staff to perform the functions required by host countries.

(xvi) *Office of Volunteer Support.* This office provides administrative support for and liaison with Volunteers and is responsible for policies related to Volunteer service.

(2) *Domestic Field Organization*—(i) *Recruiting Offices.*

Western Recruiting Office, 630 Sansome Street (Room 749), San Francisco, Calif. 94111.
Midwest Recruiting Office, 205 West Wacker Drive (Room 1510), Chicago, Ill. 60606.

The above offices, under the direction of the Office of Public Affairs, provide regional recruiting services for the Peace Corps.

(ii) *Training Centers.*

Puerto Rico Training Center, Federal Government Building (Room 225), Post Office Box 3166, San Juan, P.R. 00904.

Virgin Islands Training Center, Frederiksted, St. Croix (Box 1517), U.S. Virgin Islands 00840.

These centers are operated directly by the Peace Corps, under the direction of the Office of Training. These training facilities are designed to provide field experiences in community development, practice teaching and related activities for Peace Corps trainees.

(3) *Foreign Field Organization*—(i) *Africa Region.*

Botswana, Gaberones.
Cameroon, Yaounde.
Chad, Fort Lamy.
Dahomey, Cotonou (to open January 1968).
Ethiopia, Addis Ababa.
Gabon, Libreville.
Gambia, Bathurst.
Ghana, Accra.
Ivory Coast, Abidjan.
Kenya, Nairobi.
Lesotho, Maseru (to open December 1967).
Liberia, Monrovia.
Malawi, Blantyre.
Niger, Niamey.
Nigeria, Lagos.
Senegal, Dakar.
Sierra Leone, Freetown.
Somalia, Mogadiscio.
Tanzania, Dar es Salaam.
Togo, Lome.
Uganda, Kampala.
Upper Volta, Ougadougou (to open October 1967).

(ii) *East Asia and Pacific Region.*

Fiji, Suva (November, 1967).
Korea, Seoul.
Malaysia, Kuala Lumpur.
Micronesia, Saipan.
Philippines, Manila.
Thailand, Bangkok.
Tonga, Nuku'alofa.
Western Samoa, Apia.

(iii) *Latin American Region.*

Bolivia, La Paz.
Brazil, Rio de Janeiro.
British Honduras, Belize.
Chile, Santiago.
Colombia, Bogota.
Costa Rica, San Jose.
Dominican Republic, Santo Domingo.
Ecuador, Quito.
El Salvador, San Salvador.
Guatemala, Guatemala.
Guyana, Georgetown.
Honduras, Tegucigalpa.
Jamaica, Kingston.
Panama, Panama.
Paraguay, Asuncion.
Peru, Lima.
Uruaguay, Montevideo.
Venezuela, Caracas.
Windward-Leeward Islands, Bridgetown (Barbados).

(iv) *North Africa, Near East and South Asia Region.*

Aghanistan, Kabul.
Ceylon, Colombo.
India, New Delhi.
Iran, Tehran.
Libya, Tripoli.
Morocco, Rabat.
Nepal, Kathmandu.
Tunisia, Tunis.
Turkey, Ankara.

(b) Any person desiring information concerning a matter handled by the Peace Corps, or any person desiring to make a submittal or request in connection with such a matter, should communicate either orally or in writing with the appropriate office. If the office receiving the communication does not have jurisdiction to handle the matter, the communication, if written, will be forwarded to the proper office, or, if oral, the person will be advised how to proceed.

§ 302.3 Rules of procedure, description of forms available, the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.

Forms regarding the following listed matters and instructions relating thereto may be obtained upon application to the offices listed below.

Subject matter	Office	Address
1. Application for Peace Corps volunteer service.	Office of Public Affairs	Peace Corps, 806 Connecticut Ave. NW., Washington, D.C. 20525.
	Peace Corps Recruiting Offices	Midwest Recruiting Office, 206 West Wacker Dr., Room 1510, Chicago, Ill. 60606. Western Recruiting Office, 630 Sansome St., Room 749, San Francisco, Calif. 94111.
		U.S. Post Offices (as to forms only).
2. Applications for appointment as Peace Corps staff.	Talent Search, Office of the Director, or Division of Personnel, Office of Administration.	Peace Corps, 806 Connecticut Ave. NW., Washington, D.C. 20525.
3. Requests for access to records of the Peace Corps.	Office of Public Information	Peace Corps, 806 Connecticut Ave. NW., Washington, D.C. 20525.

§ 302.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

(a) The Peace Corps regulations published under the provisions of the Administrative Procedure Act are found in Part 301 of Title 22 of the Code of Federal Regulations and the FEDERAL REGISTER. These regulations are supplemented from time to time by amendments appearing initially in the FEDERAL REGISTER.

Sec.
303.1 Definitions.
303.2 Availability of Records.
303.3 Availability of statements of policy, interpretations, manuals, opinions, and instructions.
303.4 Records which may be exempt from disclosure.
303.5 Authority to release and certify records.
303.6 Public reading room.
303.7 Manner of requesting records.
303.8 Schedule of fees and method of payment for services rendered.

AUTHORITY: The provisions of this part 303 issued under sec. 4(b) of Public Law 87-293; 75 Stat. 612, 22 U.S.C. 2503(b); Executive Order No. 11041, as amended; State Department Delegation of Authority No. 85-11A, as amended; Executive Order No. 10501, as amended; 5 U.S.C. 552.

§ 303.1 Definitions.

As used in this part, the following definitions shall apply:

(a) The term "identifiable" means, in the context of a request for a record, a reasonably specific description of the particular record sought, such as date, format, and subject matter, which will permit its location.

(b) The term "record" includes all books, papers, maps, photographs, or other documentary material, or copies thereof, regardless of physical form or characteristics, made in or received by the Peace Corps, and preserved as evidence of its organization, functions, policies, decisions, procedures, operations, or other activities.

§ 303.2 Availability of records.

All identifiable records of the Peace Corps requested under 5 U.S.C. 552 shall be made available to the public upon compliance with the procedures established in this part, except to the extent that a determination is made, in accordance with procedures set forth in § 303.7, that a record is exempt from disclosure and is to be withheld in the public interest. All applications, publications, and other documents heretofore provided by the Peace Corps in the normal course of business will continue to be made available, without charge, upon request to the appropriate unit.

§ 303.3 Availability of statements of policy, interpretations, manuals, opinions, and instructions.

Statements of policy, interpretations, administrative manuals (or portions thereof), opinions, and instructions to staff which affect any member of the public will be made available to the public in the public reading room for inspection and copying, except to the extent they are determined by the General Counsel to be exempt from disclosure under § 303.4.

§ 303.4 Records which may be exempt from disclosure.

The following categories are examples of records maintained by the Peace Corps which, under 5 U.S.C. 552(b), may be exempted from disclosure:

(a) *Records required to be withheld by Executive order or other authority, relating to national defense or foreign policy.* Included in this category are records required by Executive Order No. 10501, as amended, to be kept secret in the interests of national defense or foreign policy.

(b) *Records related solely to internal personnel rules and practices.* Included in this category are internal rules and practices relating to management operations which cannot be disclosed to the public without substantial prejudice to the effective performance of a significant function of the Peace Corps.

(c) *Records specifically exempted from disclosure by statute.* Included in this category are records relating to the officers and employees of the Foreign Service (sec. 612 of the Foreign Service Act of 1946, as amended, 22 U.S.C. 986).

(d) *Information given in confidence.* Included in this category are records reflecting commercial and financial information, as well as other information, obtained from any person and customarily regarded as privileged and confidential by the person from whom they were obtained, such as information provided to physicians or psychologists regarding Peace Corps Volunteers or Volunteer applicants.

(e) *Interagency or intra-agency memoranda or letters.* Included in this category are records such as interagency communications and internal drafts, memoranda between officials and between agencies, opinions and interpretations prepared by staff or consultants; records of the deliberations of staff; and records the premature disclosure of which would interfere with the achievement of the purpose for which they were being prepared.

(f) *Personnel, medical, and other files.* Included in this category are personnel and medical files for staff and Volunteers and other files containing private or personnel information, the public disclosure of which would amount to a clearly unwarranted invasion of the privacy of any person to whom the information pertains.

(g) *Investigatory files.* Included in this category are files compiled for the enforcement of all laws, or prepared in connection with Government litigation and adjudicative proceedings, except for those portions of such files which are by law available to persons in litigation with the Government, in which case such portions shall be made available to such litigants.

§ 303.5 Authority to release and certify records.

(a) Authority is hereby delegated to the Director, Administrative Services Division, Office of Administration, to furnish, pursuant to the regulations of this part, copies of records to any person entitled thereto, and upon request to provide certified copies thereof for use in judicial proceedings or other official matters as provided in this section.

(1) Notice is hereby given that no seal has been adopted for the Peace Corps.

(2) The Director of the Administrative Services Division, and the Deputy Director of the Administrative Services Division, Office of Administration, are hereby designated to act as Authentication Officer and, when the Authentication Officer is unavailable, Acting Authentication Officer, respectively. The Authentication Officer is hereby authorized to sign and issue certificates of authentication for and in the name of the Director or Acting Director of the Peace Corps. The form of authentication shall be as follows:

In testimony whereof, I ----------, Director of the Peace Corps, have hereunto caused my name to be subscribed by the Authentication Officer of the said Agency, at ----------, in ----------, this ------ day of ----------, 19---.

(Director of the Peace Corps)

By ----------
(Authentication Officer, Peace Corps)

(3) The Authentication Officer is also hereby authorized to issue such statements, certificates, or other documents as may be required in connection with judicial proceedings or other official matters to show that, after diligent search of the Peace Corps' records, a requested record has not been found. (See Rule 44 (b), Federal Rules of Civil Procedure for the U.S. District Courts.)

§ 303.6 Public reading room.

A public reading room or area, where the records described in § 303.3 shall be made available without charge, is located in Peace Corps Headquarters, 806 Connecticut Avenue NW., Washington, D.C. Inquiries as to its location should be directed to the Peace Corps receptionist.

§ 303.7 Manner of requesting records.

(a) Requests under 5 U.S.C. 552 for access to Peace Corps records may be filed, in person or by mail, with the Director of Public Information at Peace Corps Headquarters, 806 Connecticut Avenue NW., Washington, D.C. 20525. Personal requests shall be received between 10 a.m. and 4 p.m., Monday through Friday, except official holidays. Records will be made available as promptly as is reasonably possible under the particular circumstances involved.

(b) Requests relating to any other Federal agency's records copies of which are on file in the Peace Corps will normally be referred to that agency for consideration.

(c) Personal requests for access to records shall be made on Peace Corps Form No. 1193. Copies of that form are available in the Office of Public Information and the public reading room or area. In the case of requests made by mail, the form will be completed by the Office of Public Information.

(d) Upon receipt of a request for a record, the Director of the Office of Public Information shall make an initial determination as to whether the requested record is identifiable within the meaning of § 303.1(a). Upon making an initial affirmative determination, he shall refer the request to the head of the unit concerned and so advise the requestor. Upon receipt of the request, the head of the unit shall determine whether the record is identifiable within the meaning of § 303.1(a).

(e) If the Director of the Office of Public Information or the head of the unit concerned determines that a requested record is not identifiable within the meaning of § 303.1(a), the requestor shall be so advised and shall be permitted to amend his request to provide any additional information that would make the record identifiable. The requestor may seek appropriate assistance from the head of the unit concerned or the Director of the Office of Public Information, or a member of either of their staffs, in identifying the record sought.

(f) If the requested record is identifiable, the head of the unit concerned shall make it available, as described in paragraph (i) of this section, unless he determines that disclosure may be contrary to the public interest, with a view to the exemptions described in section 303.4. When he so determines, he shall immediately refer the request and the record concerned to the Director of the Office in which his unit is located. If that Director determines that the requested record should be withheld for this reason, he shall immediately refer the request and the record concerned to the General Counsel.

(g) The General Counsel shall promptly advise the Office Director whether or not the record concerned is exemptable under 5 U.S.C. 552(b).

(h) If the General Counsel advises that the record is exemptable, the Office Director, in consultation with the Director of the Office of Public Information, shall then determine whether or not the record should, in the public interest, be withheld. If the decision is to withhold the record, the General Counsel shall notify the requestor in writing, clearly stating the reasons for the decision reached.

(i) If the requested record is identifiable and the unit head or Office Director concerned has found no reason to withhold it, or if after receiving the General Counsel's advice the Office Director decides not to withhold the record, the requested record shall be made available to the requestor as described in subparagraphs (1) and (2) of this paragraph.

(1) Original or record copies of records will not be permitted to leave the custody of the lawful custodian thereof.

(2) Photostatic copies, duly certified upon request, will be furnished in lieu thereof in accordance with the fees established in § 303.8.

(j) Any requestor may request the Director of the Peace Corps to review a determination that an identifiable record be withheld. Request for review may be made by a letter or other written statement setting forth the pertinent facts. The Director reserves the right to require the requestor involved to present additional information in support of his request for review. The Director will promptly consider each request for review and notify the requestor involved, in writing, of his decision.

§ 303.8 Schedule of fees and method of payment for services rendered.

(a) The following specific fees will be applicable with respect to services rendered to requestors under this part:

(1) Searches of more than 10 minutes for records; minimum charge, per hour or fraction thereof	$3.50
(2) Other facilitative services and index assistance of more than 10 minutes—minimum charge, per hour or fraction thereof	3.50
(3) Copies made by photostat or otherwise (per page)	.40

(4) Certification of each record as a true copy ..... .75
(5) For each certified statement of failure to locate record ..... .75
(6) For each signed statement of nonavailability of record ..... No fee.

(b) When no specific fee has been established for a service, or the requested service does not fall under one of the above categories due to the amount or type thereof, the Director, Administrative Services Division, is authorized to establish an appropriate fee pursuant to the criteria established in Bureau of the Budget Circular No. A-25, entitled "User Charges."

(c) (1) The minimum appropriate charge shall be paid in advance of the search or other service incident to the request, whether by mail or in person, for identifiable records.

(2) The remainder of the charges, if any, shall be paid on completion of the search or prior to the issuance of requested copies.

(3) Payments shall be made to the appropriate unit head or his designee.

(d) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States; or postal money order; or cash. Remittances shall be made payable to the order of the Peace Corps. The Peace Corps will assume no responsibility for cash which is lost in the mail.

(e) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

JACK VAUGHN,
Director.

JUNE 28, 1967.

[F.R. Doc. 67-7618; Filed, July 3, 1967; 8:51 a.m.]

Chapter V—U.S. Information Agency

PART 501—INFORMATIONAL MEDIA GUARANTIES UNDER THE U.S. INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948, AS AMENDED

Revocation

Pursuant to authority reserved by the U.S. Information Agency in section 501.6, the Agency hereby withdraws Part 501 in its entirety, effective at close of business June 30, 1967.

LEONARD H. MARKS,
Director.

[F.R. Doc. 67-7591; Filed, July 3, 1967; 8:49 a.m.]

PART 503—ORGANIZATION AND AVAILABILITY OF RECORDS

Part 503 is added to Title 22 of the Code of Federal Regulations as set forth below.

Sec.
503.1 Introduction.
503.2 Description of central and field organization, established places at which, officers from whom, and methods whereby the public may obtain information.
503.3 Places at which forms and instructions for use by the public may be obtained.
503.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the Agency.
503.5 Availability of policies, interpretations, manuals and instructions.
503.6 Availability of Agency records.
503.7 Exemptions.
503.8 Limitation of exemptions.

AUTHORITY: The provisions of this Part 503 issued under 5 U.S.C. 301; sec. 4, Act of May 26, 1949, 63 Stat. 111, as amended, 22 U.S.C. 2658; sec. 3(h), Executive Order No. 10477 of August 1, 1953, as amended; Title V, Act of August 31, 1951, 65 Stat. 290, 31 U.S.C. 483a; Executive Order No. 10501 of November 10, 1953, as amended; and the Act of June 5, 1967, 81 Stat. 54, 5 U.S.C. 552.

§ 503.1 Introduction.

(a) This part implements the Act of June 5, 1967, P.L. 90-23, 81 Stat. 54 (hereinafter referred to as "the Act,") which codifies P.L. 89-487, the "Public Information Act of 1966," and amends the "Public Information" Section of the Administrative Procedure Act (5 U.S.C. 552).

(b) The Act is designed to insure freer and easier access by members of the public to information about the organization, procedures, and records of the departments and agencies of the executive branch of the Government than has previously been available. In compliance with the Act, the Agency will make the fullest possible disclosure of its information and identifiable records consistent with the provisions of the Act and these regulations requiring or permitting nondisclosure.

§ 503.2 Description of central and field organization, established places at which, officers from whom, and methods whereby the public may obtain information.

The United States Information Agency is organized to help achieve U.S. foreign policy objectives by making understandable to the people of other countries U.S. actions and policies, as well as the traditions, values, and culture from which they flow. The Agency advises the President, his representatives abroad, and the various departments and agencies on the implications of foreign opinion for present and contemplated U.S. policies, programs, and official statements. To achieve these purposes, the Agency is directed from Washington, D.C. It operates field posts in over 100 foreign countries. The chief executive of the Agency is the Director, assisted by the Deputy Director and the Deputy Director (Policy and Research). The Director is advised by the Advisory Commission on Information, a body of five private citizens appointed by the President and confirmed by the Senate.

(a) Closely attached to the Office of the Director are the Office of Policy and Research, the Office of the Inspector General, the Office of the U.S. Commissioner General for the Canadian World Exhibition, and the Office of Public Information.

(1) *Office of Policy and Research (IOP).* IOP formulates basic information policies, themes, and program emphases for the Agency. It obtains policy and background information from the Department of State and other sources and prepares policy guidance for operating elements of the Agency. It coordinates media output so that the content will accurately reflect Agency policy and emphasis. The IOP staff maintains liaison with the White House, Departments of State and Defense, and other agencies, and represents the Agency on interdepartmental groups concerned with foreign affairs. IOP has on its staff specialists in national security, science, space, economics, youth and students, cultural affairs, labor, minorities, and women's activities. A staff member serves as the Agency Representative at the U.S. Mission to the United Nations and advises the U.S. Mission on foreign public opinion factors in U.S. policies and actions in the United Nations. The Foreign Correspondents Center in New York, under the supervision of IOP, provides assistance to foreign correspondents reporting on and interpreting America and its policies to their home countries. This office also is responsible for special analytical studies required for the implementation in the Agency of the President's Planning-Programing-Budget System (P.P.B.S.). It prepares studies of objectives and individual program activities and attempts to determine their effectiveness. Research data is collected on foreign opinion and overseas propaganda trends.

(2) *Office of the Inspector General (I/IG).* I/IG appraises for the Director the operation and administration of overseas establishments, including evaluations of the Agency's Foreign Service personnel. It selects personnel to conduct overseas inspections, provides guidance for inspections, evaluates inspection reports, and makes appropriate recommendations to the Director. It serves as liaison with the Department of State to make the Agency's inspection procedures and rating standards compatible with those of the Department.

(3) *Office of the Commissioner General for the Canadian World Exhibition (IME).* IME, as the title of the office suggests, is not a permanent Agency office. The Office planned the U.S. participation in the 1967 Exhibition at Montreal. It supervised and coordinated the design, construction, and installation and continues to operate and administer the U.S. pavilion and its exhibits and features.

(4) *Office of Public Information (I/R).* I/R responds to requests from the general public for information on the Agency's programs. It serves as the point of contact within the Agency for the press and other commercial media of communication.

(b) Staff support is provided by the Office of Personnel and Training, the Office of Administration, the Office of the General Counsel, and the Office of Security.

(1) *Office of Personnel and Training (IPT)*. IPT formulates and implements personnel policies and procedures; plans and executes personnel programs including recruitment, examination, selection, placement of employees, career development, and position classification; and plans and conducts orientation and training programs for domestic and Foreign Service employees.

(2) *Office of Administration (IOA)*. IOA carries out programs and advises the Director and other Agency officials on administration, including budget, finance, contract and procurement, administrative services, management, emergency planning and library services.

(3) *Office of the General Counsel (IGC)*. IGC advises the Agency on the meaning and intent of all laws, regulations, and Executive orders which authorize or affect the Agency's programs. This office also assists in the drafting of proposed legislation, Executive orders, regulations, contracts, and leases. The General Counsel also supplements the personal relations of the Director with Congress.

(4) *Office of Security (IOS)*. IOS is responsible for physical, personnel, and documentary security. It also serves as the investigating arm of the Agency.

(c) Program materials are generated by the Agency's media services, the Broadcasting Service, the Information Center Service, the Motion Picture and Television Service, and the Press and Publications Service.

(1) *Broadcasting Service (IBS)*. IBS (the Voice of America) produces and broadcasts radio programs in English and foreign languages and operates broadcasting and relay facilities to transmit these programs. It also furnishes technical services and materials to the Agency's overseas posts for broadcasting radio programs through local outlets, and it supplies packaged programs to the posts.

(2) *Information Center Service (ICS)*. ICS furnishes technical direction, materials, and assistance to information centers, libraries, and binational centers. It promotes the distribution of American books, in English and foreign languages, to individuals and institutions of particular local significance. It designs and contracts for the construction of exhibits reflecting American culture and other achievements. It supports the English teaching programs of USIS, binational centers, and special English teaching institutes by providing consultative services and teaching materials. ICS has also conducted the Informational Media Guaranty Program which is now in process of liquidation.

(3) *Motion Picture and Television Service (IMV)*. IMV contracts for the production of, or otherwise acquires, motion pictures in appropriate languages for use abroad in commercial theaters or for showing by USIS posts. It produces or acquires television films and tapes for posts to place on local television stations and networks in countries overseas. It furnishes USIS posts with necessary equipment, supplies, technical services and direction for motion picture and television programs. The International Communications Media Staff of the Motion Picture and Television Service monitors and facilitates the operation of certain international organizations and festivals including United States participation therein, and assists some domestic organizations active in this field. Also under authority delegated to the Agency by Executive Order 11311 of October 14, 1966, issued pursuant to Public Law 89-634 the staff issues export certificates of educational, audiovisual materials and authenticates foreign certificates covering the import of such materials.

(4) *Press and Publications Service (IPS)*. IPS produces a wide variety of editorial materials for placement by USIS posts overseas in local newspapers and periodicals and for use in post publications. It produces and operates the Wireless File to USIS posts in all areas of the world via radioteletype. It provides posts a general and regional feature service, photographs and picture stories, plastic printing plates, "paper show" exhibits, magazines, pamphlets, posters, magazine reprints, cartoon booklets and continuity strips. It also manages printing plants at Regional Service Centers in Manila, Beirut and Mexico City, furnishes posts with press and photo supplies and equipment, and offers them technical advice.

(d) Direction of the Agency's overseas programs is provided by the Assistant Directors for the six geographical areas on all programs in or directed to countries in these areas. The areas are Africa (IAA), Latin America (IAL), Europe (IAE), Soviet Union and Eastern Europe (IAS), Near East and South Asia (IAN), and East Asia and Pacific (IAF). The six Assistant Directors for areas help to formulate information policies and represent the Director on interagency groups. They are responsible for the direction, coordination, and management of information programs for the countries of their geographic areas and for that portion of the Department of State's exchange program directed by USIS overseas posts. They supply a knowledge of field problems and requirements to the Agency's media elements and policy and planning officers. They arrange with media services to provide media products to their areas. They consult with appropriate area and country officers in the Department of State, the Agency for International Development, and with other agencies on matters of mutual concern.

(e) The foregoing Agency elements have their principal Washington offices in the following locations:

AGENCY ELEMENTS AND ADDRESSES

The Director, Office of Policy and Research, Office of the Inspector General, Office of the Commissioner General for the Canadian World Exhibition, Office of Public Information, Office of Administration, Office of the General Counsel, Office of Security, Area Offices for Africa, Latin America, Europe, Soviet Union and Eastern Europe, Near East and South Asia, and East Asia and Pacific—1750 Pennsylvania Avenue NW.

Office of Personnel and Training, Press and Publications Service—1776 Pennsylvania Avenue NW.

Information Center Service—1711 New York Avenue NW.

Broadcasting Service—Health, Education, and Welfare Building, 300 C Street SW.

Motion Picture and Television Service—Old Post Office Building, 12th Street and Pennsylvania Avenue NW.

(f) Agency offices abroad, known as the U.S. Information Service (USIS), under the supervision of the Chiefs of Mission, and with the guidance of the Director and the appropriate area Assistant Director, conduct public information, public relations and cultural activities—i.e., those activities intended to inform or influence foreign public opinion—for agencies of the U.S. Government except for Commands of the Department of Defense. Each USIS office is headed by a Public Affairs Officer who is a member of the "country team" under the Chief of the U.S. Diplomatic Mission. The Agency maintains field offices at the following locations:

Afghanistan—Kabul.
**Algeria—Algiers, Oran.
Argentina—Buenos Aires, Cordoba, Rosario.
Australia—Canberra, Melbourne, Sydney.
Austria—Vienna.
Belgium—Brussels.
Bolivia—Cochabamba, La Paz.
Brazil—Belem, Belo Horizonte, Brasilia, Curitiba, Fortaleza, Porto Alegre, Recife, Rio de Janeiro, Salvador, Sao Paulo.
Burma—Rangoon.
Burundi—Bujumbura.
Cameroon—Douala, Yaounde.
Canada—Ottawa, Montreal, Toronto.
Central African Republic—Bangui.
Ceylon—Colombo.
Chad—Fort Lamy.
Chile—Santiago.
Colombia—Bogotá.
Congo, Democratic Republic of the—Bukavu, Kinshasa, Kisangani, Lubumbashi, Luluabourg.
Costa Rica—San José.
Cyprus—Nicosia.
Dahomey—Cotonou.
Denmark—Copenhagen.
Dominican Republic—Santo Domingo.
Ecuador—Guayaquil, Quito.
El Salvador—San Salvador.
Ethiopia—Addis Ababa, Asmara.
Finland—Helsinki.
France—Marseille, Paris.
Gabon—Libreville.
Germany—Berlin, Bonn, Cologne, Dusseldorf, Frankfurt, Hamburg, Hannover, Munich, Saarbrucken, Stuttgart.
Ghana—Accra.
Great Britain—London.
Greece—Athens, Thessaloniki.
Guatemala—Guatemala City.
Guinea—Conakry.
Guyana—Georgetown.
Haiti—Port au Prince.
Honduras—Tegucigalpa.
Hong Kong.
Iceland—Reykjavik.
India—Bangalore, Bombay, Calcutta, Hyderabad, Lucknow, Madras, New Delhi, Trivandrum.
Indonesia—Djakarta, Surabaya, Medan.
Iran—Isfahan, Khorramshahr, Meshed, Tabriz, Tehran.
*Iraq—Baghdad.
Israel—Tel Aviv.
Italy—Milan, Naples, Palermo, Rome.
Ivory Coast—Abidjan.
Jamaica—Kingston.

Japan—Fukuoka, Hiroshima, Kyoto, Nagoya, Niigata, Osaka, Sapporo, Sendai, Tokyo.
**Jordan—Amman.
Kenya—Nairobi.
Korea—Kwangju, Pusan, Seoul, Taegu.
Kuwait—Kuwait.
Laos—Luang Prabang, Pakse, Sam Thong, Savannakhet, Vientiane.
Lebanon—Beirut.
Lesotho—Maseru.
Liberia—Monrovia.
**Libya—Benghazi, Tripoli.
Malagasy Republic—Tananarive.
Malawi—Blantyre.
Malaysia—Kuala Lumpur, Kuching, Penang.
Mali—Bamako.
Martinique—Fort-de-France.
Mexico—Guadalajara, Hermosillo, Mexico City, Monterrey.
Morocco—Casablanca, Fez, Rabat, Tangier.
Nepal—Kathmandu.
Netherlands—The Hague.
New Zealand—Wellington.
Nicaragua—Managua.
Niger—Niamey.
Nigeria—Enugu, Ibadan, Kaduna, Kano, Lagos.
Norway—Oslo.
Pakistan—Dacca, Karachi, Lahore, Peshawar, Rawalpindi/Islamabad.
Panama—Panama City.
Paraguay—Asuncion.
Peru—Arequipa, Lima.
Philippines—Cebu, Davao, Manila.
Portugal—Lisbon.
Republic of South Africa—Cape Town, Johannesburg, Pretoria.
Rwanda—Kigali.
Saudi Arabia—Jidda.
Senegal—Dakar.
Sierra Leone—Freetown.
Singapore—Singapore.
Somali Republic—Mogadiscio.
Spain—Madrid, Barcelona.
**Sudan—Khartoum.
Sweden—Stockholm.
Switzerland—Bern, Geneva.
*Syrian Arab Republic—Damascus.
Taiwan—Kaohsiung, Taichung, Taipei.
Tanzania—Dar-es-Salaam, Zanzibar.
Thailand—Bangkok, Chiengmai, Khon Kaen, Korat, Nakhon Phanom, Nakhon Sri Thammarat, Nongkha, Phitsanulok, Sakon Nakhon, Songkhla, Surin, Ubon, Udon, Yala.
Togo—Lome.
Trinidad—Port-of-Spain.
Tunisia—Tunis.
Turkey—Adana, Ankara, Istanbul, Izmir.
Uganda—Kampala.
*United Arab Republic—Alexandria, Cairo.
Upper Volta—Ouagadougou.
Uruguay—Montevideo.
Venezuela—Caracas, Maracaibo.
Viet-Nam—Can Tho, Dalat, Danang, Saigon.
Yugoslavia—Belgrade, Zagreb.
Zambia—Lusaka.

*No operations at present.
**Limited operations at present.

§ 503.3 Places at which forms and instructions for use by the public may be obtained.

Subject matter	Office	Address
Contracts and procurement	Contract and Procurement Division, Office of Administration.	1776 Pennsylvania Ave. NW., Washington, D.C. 20547.
Applications for employment, appointment to foreign service, or service in binational centers.	Recruitment and Source Development Division, Office of Personnel and Training.	1776 Pennsylvania Ave. NW., Washington, D.C. 20547.
All other forms	Office of Public Information	1750 Pennsylvania Ave. NW., Washington, D.C. 20547.

§ 503.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the Agency.

(a) *Restriction on domestic availability of agency media products.* The Act in no way changes the Agency's policy prohibiting the general distribution of the Agency's foreign informational materials within the United States. This policy is based (1) on the provisions of section 501 of the Agency's basic Act (22 U.S.C. 1461 and Reorganization Plan No. 8 of 1953) which limits the Agency's mission to the dissemination of information about the United States to the peoples in other countries, and (2) on the unequivocal intent of both branches of the Congress as expressed by individual members and in committee reports that such provision be construed as a prohibition against the distribution of such materials within the United States.

(b) *Agency regulations previously published*—(1) *Procurement.* The Agency's implementation of the Federal Procurement Regulations (41 CFR) is published in 41 CFR Ch. 19.

(2) *Visual and auditory educational materials.* The Agency's regulations governing the facilitation of circulation abroad of American-made visual and auditory educational materials are published in 22 CFR, Ch. V, Part 502.

(3) *Tort claims.* The Agency's regulations governing procedure under the Federal Tort Claims Act are published in 22 CFR, Ch. V, Part 511.

§ 503.5 Availability of policies, interpretations, manuals, and instructions.

The Agency will, in accordance with the rules in this section and in § 503.7, make available for public inspection and copying those statements of policy and interpretation that have been adopted by the Agency and are not published in the FEDERAL REGISTER, and administrative staff manuals and instructions to staff that affect any member of the public.

(a) *Deletion to protect privacy.* To the extent required to prevent a clearly unwarranted invasion of personal privacy, the Agency may delete identifying details when it makes available or publishes a statement of policy, interpretation, or staff manual or instruction. Whenever the Agency finds any such deletion necessary, the responsible officer or employee must fully explain the justification therefor in writing.

(b) *Current Index.* The Management Division of the Agency's Office of Administration, 1750 Pennsylvania Avenue NW., Washington, D.C., will maintain and make available on Agency premises for public inspection and copying a current index adequately identifying for the public any administrative staff manuals and instructions to staff that affect any member of the public issued, adopted, or promulgated on or after July 5, 1967 and which is required by this section to be made available or published.

§ 503.6 Availability of Agency records.

This section pertains to Agency records not covered by §§ 503.3, 503.4, and 503.5. With respect to records covered by this section only, and not exempt under any of the provisions of § 503.7, the Act provides a possible remedy in a United States District Court for any person who complains that the Agency has improperly withheld such records from him. The Agency will, upon request for identifiable records made in accordance with the requirements of this section, make such records promptly available to any person. This includes not only availability for inspection on Agency premises but the availability of copies of designated records if requested.

(a) *Time.* Requests either in person or by telephone for access to Agency records may be made from 10 a.m. through 4 p.m. Monday through Friday, except on official holidays. Outside the United States, such requests may be made during prevailing daytime hours of business.

(b) *Place.* Requests for access to Agency records should be made to the Office of Public Information, U.S.I.A., 1750 Pennsylvania Avenue NW., Washington, D.C. 20547. If that office is not in a position to make the requested records promptly available, it may either refer the person making the request to the Agency element possessing such information or may initiate its own inquiry within the Agency. If request is made for copies of any record, the Office of Public Information will assist the person making such request in seeing that such copies are provided according to the rules in this section.

(c) *Fees.* The Act authorizes the Agency to require payment of a fee with certain requests for records. This authority is consistent with the Government's policy on user charges expressed in 31 U.S.C. 483a and in Bureau of the Budget Circular No. A–25 which provides that "where a service (or privilege) provides special benefits to an identifiable recipient above and beyond those which accrue to the public at large, a charge should be imposed to recover the full cost to the Federal Government of rendering that service."

(1) *Advance payment and deposits.* When the amount of a fee can be readily computed (as for example, when a specified number of copy pages are requested), an advance payment should be required of the person making the request. When the amount cannot be readily computed (as for example, when an unknown amount of staff time must be used in complying with a request), the officer or employee responsible for assembling the requested records may, when necessary to assure that the fee will be paid, require payment of a reasonable deposit before undertaking to collect the requested records. (Requests for identifiable records should be reasonably specific and thus should not impose

on Agency personnel a burden of speculating and inquiring about what a person making a request might desire access to.) At the earliest practicable time, the responsible officer or employee should determine the full amount of the fee and, before complying fully with the request, should require payment of any balance due or should refund any overpayment.

(2) *Schedule of fees.* The following specific fees shall apply with respect to services rendered to the public:

(1) Searching for records and collateral assistance, per hour or fraction thereof	$5.00
(2) Making of copies (Xerox or comparable) per page	.40
(3) For signed statement of non-availability of record	No fee.

Should a situation arise which is not appropriately covered by the above schedule of fees, the charge applied will include all direct and indirect costs of the service, including but not limited to materials, labor, machine time, significant supervisory time, and the like.

(d) *Judicial review.*—(1) *Review by Director.* If a request for records under this section is denied by an Agency subordinate, the person making the request is entitled to have the denial reviewed by the Agency Director as promptly as circumstances permit. If the Director determines that the withholding is improper, he will direct in writing that the requested records be made available in accordance with this section. If he determines that the withholding is proper, he will so notify the person making the request in writing, and his determination constitutes the final Agency decision.

(2) *Coordination with Office of the General Counsel.* Requests for review by the Director and complaints served on the Agency for court review under this section are to be referred immediately to the Office of the General Counsel (IGC). IGC will investigate all the circumstances of the alleged improper withholding, and compile a complete file on the matter. IGC will coordinate Agency efforts to sustain the final Agency decision with the General Litigation Section of the Civil Division of the Department of Justice.

§ 503.7 Exemptions.

The Act authorizes exemption from disclosure of the following classes of records and information concerning matters that are:

(a) Specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(b) Related solely to the internal personnel rules and practices of the Agency;

(c) Specifically exempted from disclosure by statute;

(d) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(e) Interagency or intraagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Agency;

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

§ 503.8 Limitation of exemptions.

The Act declares that it does not authorize withholding of information or limit the availability of Agency records to the public, nor is authority granted to withhold information from Congress.

Effective date. These regulations are effective July 4, 1967.

LEONARD H. MARKS,
Director.

[F.R. Doc. 67-7592; Filed, July 3, 1967; 8:45 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Secretary, Department of Housing and Urban Development

PART 15—PUBLIC INFORMATION

In Subtitle A a new Part 15 is added as follows:

Subpart A—Purpose and Policy

Sec.
15.1 Definitions.
15.2 Purpose.
15.3 Statement of Policy.

Subpart B—Production and Disclosure of Records

15.11 Publication in the FEDERAL REGISTER.
15.12 Materials not published in the FEDERAL REGISTER.
15.13 Identifiable records produced upon request.
15.14 Schedule of fees.

Subpart C—Exemptions

15.21 Exemptions authorized by 5 U.S.C. 552.

Subpart D—Where Records May Be Inspected and Information Obtained

15.31 Information centers.
15.32 Information officers.
15.33 Material in Department Central Information Center.

Subpart E—Procedure for Requesting Access to Records

15.41 Requests for records.

Subpart F—Disclosure of Records and Refusal To Disclose

15.51 Authority to release records or copies.
15.52 Authority to deny requests for records.

Subpart G—Administrative Review of Denials of Requests for Records

15.61 Administrative review.

AUTHORITY: The provisions of this Part 15 are issued under 5 U.S.C. 552 and sec. 7(d), 79 Stat. 670; 42 U.S.C. 3535(d).

Subpart A—Purpose and Policy

§ 15.1 Definitions.

As used in this Part—

(a) "Act" means section 552 of Title 5, United States Code, as amended by Public Law 90-23, 81 Stat. 54, June 5, 1967. Public Law 90-23 repealed and superseded Public Law 89-487, 80 Stat. 250, July 4, 1966, sometimes referred to as the "Freedom of Information Act" or "Public Information Act."

(b) "Department" means the Department of Housing and Urban Development which consists of the Office of the Secretary and the several organizational units.

(c) "Secretary" means the Secretary of Housing and Urban Development.

(d) "Organizational unit" means any one of the several offices, staffs, divisions, or administrations of the Department, including the Federal Housing Administration (FHA) and the Federal National Mortgage Association (FNMA). Organizational unit also includes Department Regional Offices and local FHA and FNMA offices.

(e) "Person" means "person" as defined in 5 U.S.C. 551(2) to include corporations and organizations as well as individuals.

(f) "Information center" means any place, reading room, desk, or other area or facility established and maintained by the Department where the public may request and obtain information and records concerning the Department's operations and business.

§ 15.2 Purpose.

This part contains the rules and regulations of the Department implementing 5 U.S.C. 552. It informs the public about where and how the Department's records and information may be obtained from its organizational units in Washington, D.C., and its regional and other local offices throughout the country.

§ 15.3 Statement of policy.

The Department's policy is one of full and responsible disclosure of its identifiable records and information consistent with such competing public interests concerning the national security, personal privacy, and obligations of confidentiality as are recognized by 5 U.S.C. 552. Every effort will be made to furnish service with reasonable promptness to the public with respect to the obtaining of records and information.

Subpart B—Production and Disclosure of Records

§ 15.11 Publication in the Federal Register.

Subject to the exemptions in § 15.21, the Department shall separately state and currently publish in the FEDERAL REGISTER for the guidance of the public:

(a) Descriptions of its central and field organization and the established places at which, the employees from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;

(b) Statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

(c) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions

as to the scope and contents of all papers, reports, or examinations;

(d) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the Department; and

(e) Each amendment, revision, or repeal of the foregoing.

Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to or be adversely affected by any matter required to be published in the FEDERAL REGISTER and not so published. For purposes of this § 15.11, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the FEDERAL REGISTER when incorporated by reference therein with the approval of the Director of the Office of the Federal Register, as provided in 32 F.R. 7899, June 1, 1967, 1 CFR Part 20.

§ 15.12 Materials not published in *Federal Register*.

(a) Subject to the exemptions in § 15.21, the Department, in accordance with this part, shall make available for public inspection and copying:

(1) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(2) Statements of policy and interpretations which have been adopted by the Department and are not published in the FEDERAL REGISTER; and

(3) Administrative staff manuals and instructions to staff that affect a member of the public.

(b) To prevent a clearly unwarranted invasion of personal privacy, the Department may delete identifying details when it makes available or publishes any material. Whenever such deletions are required, the record or copy will be made available with the space formerly occupied by such identifying details left blank, and the justification for the deletion shall be explained fully in writing.

(c) The Department shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and which is required by this § 15.12 to be made available or published.

§ 15.13 Identifiable records produced upon request.

Requests for records and copies may be made in person during normal business hours at information centers listed below in § 15.31 of this part. Requests may also be made by mail addressed to such centers.

(a) Each request for a record or copy thereof should identify the record specifically with respect to names, dates, subject matter, and location, if known. The Department will notify any person making a request if further identifying information is needed before his request can be honored.

(b) Charges will be made in accordance with the schedule of fees set forth in § 15.14 for any records search which involves more than one man-hour of work, and for duplicating, reproducing, certifying, or authenticating copies of documents furnished.

(c) When a request is made for an identifiable record of the Department which has been stored in the National Archives or other record centers of the General Services Administration, such record will be requested by the Department if it otherwise would be available under this part.

(d) Every effort will be made to make a record in use by the staff of the Department available when requested, and such availability will be deferred only to the extent necessary to avoid serious interference with the business of the Department.

(e) Copies of a requested record need not be furnished if the record is published in the FEDERAL REGISTER or is available for purchase from the Superintendent of Documents of the Government Printing Office. Such records may, however, be examined in one of the Department's information centers.

§ 15.14 Schedule of fees.

For the services listed below performed in the location and disclosure or furnishing of copies of records under 5 U.S.C. 552, and pursuant to the policy established by Congress in 5 U.S.C. (1964 Ed.) 140, Act of August 31, 1951, the following charges will apply:

(a) Records search:

(1) First man-hour on any single request: no fee.

(2) Each additional man-hour or fraction thereof: $5.

(b) Copies of documents:

(1) Xerox or equivalent, page size up to 8½ inches by 14 inches, per page: $0.25.

(2) Photostat, page size up to 8½ inches by 14 inches, per page: $1.

(c) If charge is less than $1.00 per order: no fee.

(d) Maximum number of copies furnished of any record: 10.

(e) Certification of true copies, each: $1.

(f) Attestation under the seal of the Department or of FNMA, as the case may be, each: $2.

(g) Payment of fees under this § 15.20 shall be made in cash, or by U.S. money order, or by certified bank check payable to the Treasurer of the United States except that, in case of the Federal Housing Administration and the Federal National Mortgage Association, drafts should be made payable to those organizational units. Postage stamps will not be accepted.

Subpart C—Exemptions

§ 15.21 Exemptions authorized by 5 U.S.C. 552.

A requested record shall not be withheld from inspection or copying unless it both (1) comes within one of the classes of records exempted by 5 U.S.C. 552, and (2) there is need in the public interest to withhold it. In determining the scope of the classes of records described in paragraph (a) of this section, the Attorney General's Memorandum on the Public Information Act, June 1967, will be used as a guide.

(a) The classes of records authorized to be exempted from disclosure by 5 U.S.C. 552 are those which concern matters that are:

(1) Specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(2) Related solely to the internal personnel rules and practices of the Department;

(3) Specifically exempted from disclosure by statute;

(4) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) Interagency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Department;

(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(7) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(8) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of the Department in connection with its responsibility for the regulation or supervision of financial institutions; or

(9) Geological and geophysical information and data, including maps, concerning wells.

Subpart D—Where Records May Be Inspected and Obtained

§ 15.31 Information centers.

(a) The Department maintains a Central Information Center in Washington, D.C., at the following location:

Department of Housing and Urban Development, 1626 K Street NW. (Room 102), Washington, D.C. 20410.

(b) The Department also maintains an information center—

(1) In each of its Regional Offices as follows:

Region I—346 Broadway, New York, N.Y. 10013.
Region II—Widener Building, 1339 Chestnut Street, Philadelphia, Pa. 19107.
Region III—Peachtree-Seventh Building, Atlanta, Ga. 30323.
Region IV—360 North Michigan Avenue, Chicago, Ill. 60601.
Region V—Federal Office Building, 819 Taylor Street, Fort Worth, Tex. 76102.
Region VI—450 Golden Gate Avenue, Post Office Box 36003, San Francisco, Calif. 94102; Northwest Operations Office, First Avenue, Seattle, Wash. 98104.
Region VII—Ponce De Leon and Boliva, Post Office Box 3869, GPO, San Juan, P.R. 00936.

(2) In each FNMA Agency Office as follows:

211 South Broad Street, Philadelphia, Pa. 19107.

34 Peachtree Street NE., Atlanta, Ga. 30303.
1112 Commonwealth Edison Building, 72 West Adams Street, Chicago, Ill. 60603.
411 North Akard Street, Dallas, Tex. 75201.
3540 Wilshire Boulevard, Los Angeles, Calif. 90005.

(3) In each FHA Local Insuring Office at its respective local address as listed in local telephone directories.

§ 15.32 Information officers.

There shall be an information officer in each of the information centers described in § 15.31 who shall be responsible for making information and records available to the public in accordance with this part. The information officer in the Department Central Information Center shall be designated by the Director, Division of Public Affairs. The information officer in each Regional Office and field office shall be designated by the Regional Administrator or the Director of the office, as the case may be, with the concurrence of the Director, Division of Public Affairs.

§ 15.33 Material in Department Central Information Center.

(a) The Central Information Center shall contain or have ready access to the following as a minimum:

(1) FEDERAL REGISTER, Code of Federal Regulations, and regulations of the Department contained therein;

(2) Precedent final opinions and orders in the adjudication of cases;

(3) Administrative staff manuals which affect the public;

(4) Program manuals which affect the public and forms;

(5) Interpretations relied upon as precedents;

(6) A current index of the foregoing materials issued, adopted, promulgated after July 4, 1967.

(b) Each Regional Office information center, each FHA Local Insuring Office, and each FNMA Agency Office shall contain or shall have ready access to such of the above records as pertain to the activities of that office.

(c) Facilities shall be available to each information center for the copying of properly requested and available records.

Subpart E—Procedures for Requesting Access to Records

§ 15.41 Requests for records.

(a) Requests for identifiable records should be made at the established information centers.

(b) A request should specify the requested record by brief description, containing the name, number or date as applicable, in enough detail that the record can be identified and located. A reasonable time should be allowed for records to be located, copied, and mailed or otherwise delivered.

(c) The request should be accompanied by the fee or an offer to pay the fee when determined.

(d) Copies of available records shall be produced as promptly as possible. Copying service shall be limited to not more than 10 copies of any single page. Records which are published or available for sale need not be supplied.

Subpart F—Disclosure of Records and Refusal To Disclose

§ 15.51 Authority to release records or copies.

The head of each organizational unit or the designee of each of these officers, with respect to records pertaining to programs or activities for which each has primary responsibility, is authorized to release any Department record or copy thereof when disclosure is clearly appropriate under this part. Such authorized persons may release records for which another officer has primary responsibility only with the consent of the other officer or his designee.

§ 15.52 Authority to deny requests for records.

The officers and their designees described in the preceding § 15.51 may deny a request for a record. Any denial shall be promptly made in writing and contain a simple statement of reasons for the denial. Prior to a denial, the officer or designee shall clear the matter with the Office of General Counsel or the office of the appropriate Regional Counsel or, in the case of an officer or designee in any FNMA office, with the Office of the General Counsel, FNMA, or the appropriate FNMA Agency Counsel. Denial shall terminate the authority of the particular officer or designee to release or disclose the requested record, which thereafter may not be made available except with the express authorization of the Secretary or his designee.

Subpart G—Administrative Review of Denials of Requests for Records

§ 15.61 Administrative review.

(a) Review shall be available only from a written denial of a request for a record issued under § 15.52, and only if a written request for review is filed within 30 days after issuance of the written denial. The filing of a request for review may be accomplished by mailing to the Secretary of Housing and Urban Development, 1626 K Street NW. (Room 600), Washington, D.C. 20410, a copy of the request if in writing, a copy of the written denial issued under § 15.52, and a statement of the circumstances, reasons, or arguments advanced in support of disclosure of the original request for the record. Review will be made promptly by the Secretary or his designee on the basis of the written record described in this § 15.61.

(b) The decision after review will be in writing, will be promptly communicated to the person requesting review, and will constitute final action of the Department on the request, subject to judicial review as provided in 5 U.S.C. 552(a)(3).

Effective date. This regulation is effective as of July 4, 1967.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 67-7627; Filed, July 3, 1967; 8:51 a.m.]

Chapter IV—Federal National Mortgage Association, Department of Housing and Urban Development

PART 1600—MORTGAGE AND LOAN PURCHASES, SERVICING, AND SALES, AND SHORT-TERM LOANS ON THE SECURITY OF MORTGAGES AND LOANS

Office at Dallas, Tex.

Section 1600.0 is amended by striking out "Dallas Federal Savings Building, 1505 Elm Street" and inserting in lieu thereof "411 North Akard Street".

(Sec. 309, 68 Stat. 620; 12 U.S.C. 1723a)

Issued at Washington, D.C., June 26, 1967.

FEDERAL NATIONAL MORTGAGE ASSOCIATION,
HARRY R. BIVENS,
Vice President.

[F.R. Doc. 67-7546; Filed, July 3, 1967; 8:45 a.m.]

PART 1600—MORTGAGE AND LOAN PURCHASES, SERVICING, AND SALES, AND SHORT-TERM LOANS ON THE SECURITY OF MORTGAGES AND LOANS

Public Information

Part 1600 is amended by inserting after section 1600.2 the following new section:

§ 1600.3 Public information.

Pursuant to the requirements of Part 15 of this title, FNMA maintains an information center at its principal office described in § 1600.2 and at each of its Agency Offices described in § 1600.0. There is an Information Officer in each of the information centers. Any person may obtain any information available to the public concerning FNMA from any Information Officer in the manner described in part 15 of this title, subject to the requirements and limitations set forth in such Part 15.

(Sec. 309, 68 Stat. 620; 12 U.S.C. 1723a)

Issued at Washington, D.C., June 29, 1967.

FEDERAL NATIONAL MORTGAGE ASSOCIATION,
HARRY R. BIVENS,
Vice President.

[F.R. Doc. 67-7664; Filed, July 3, 1967; 8:54 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 381-67]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Records and Information

JUNE 29, 1967.

On July 4, 1967, the effective date of these regulations, a new paragraph (e) will be added to § 0.130 of Part 0, and the

current provisions under Part 16 will be replaced by new Subparts A and B.

The amendment to Part 0 identifies, pursuant to 5 U.S.C. 552(a)(1)(A), the employees who are responsible for receiving submittals and requests.

Part 16, Subpart A, captioned "Production and Disclosure under 5 U.S.C. 552(a)," implements 5 U.S.C. 552 which amends section 3, the public information section of the Administrative Procedure Act, effective July 4, 1967. Subpart B, captioned "Production in Response to Subpenas or Demands of Courts or Other Authorities," is a revision of the current provisions of §§ 16.1, 16.2, and 16.3.

In Part 0, a new paragraph (e) is hereby added to § 0.130 as follows:

§ 0.130 Functions common to heads of organizational units.

* * * * *

(e) Except as otherwise provided in this chapter, receive submittals and requests relative to the functions of his organizational unit.

Part 16 is hereby amended to read as follows:

Subpart A—Production or Disclosure Under 5 U.S.C. 552(a)

Sec.
16.1 Purpose and scope.
16.2 Public reference facilities.
16.3 Requests for identifiable records and copies.
16.4 Schedule of fees and services.
16.5 Exemptions.
16.6 Records of the Immigration & Naturalization Service and of the Board of Immigration Appeals.
16.7 Administrative decision and review.

Subpart B—Production in Response to Subpenas or Demands of Courts or Other Authorities

Sec.
16.11 Purpose and scope.
16.12 Production prohibited unless approved by the Attorney General.
16.13 Procedure in the event of a demand for production or disclosure.
16.14 Procedure in the event of an adverse ruling.

AUTHORITY: The provisions of this Part 16 issued under R.S. 161, 5 U.S.C. 301; 5 U.S.C. 552; 65 Stat. 290; 31 U.S.C. 483a, 5 U.S.C. (1964 Ed.) 140; sec. 2, Reorg. Plan No. 2 of 1950, 64 Stat. 1261, 3 CFR 1949–1953 Comp., p. 1003.

Subpart A—Production or Disclosure Under 5 U.S.C. 552(a)

§ 16.1 Purpose and scope.

(a) This subpart contains the regulations of the Department of Justice implementing 5 U.S.C. 552. The regulations of this subpart provide information concerning the procedures by which records may be obtained from all organizational units within the Department of Justice. Official records of the Department of Justice made available pursuant to the requirements of 5 U.S.C. 552 shall be furnished to members of the public only as prescribed by this subpart. Officers and employees of the Department may continue to furnish to the public, informally and without compliance with the procedures prescribed herein, information and records which prior to enactment of 5 U.S.C. 552 were furnished customarily in the regular performance of their duties. To the extent permitted by other laws, the Department also will make available records which it is authorized to withhold under 5 U.S.C. 552 whenever it determines that such disclosure is in the public interest.

(b) The Attorney General's Memorandum on the Public Information Section of the Administrative Procedure Act, which was published in June 1967 and is available from the Superintendent of Documents, should be consulted in considering questions arising under 5 U.S.C. 552.

§ 16.2 Public reference facilities.

Each office listed below will maintain, in a public reading room or public reading area, the materials relating to that office which are required by 5 U.S.C. 552(a)(2) and 552(a)(4) to be made available for public inspection and copying:

U.S. Attorneys and U.S. Marshals—at the principal offices of the U.S. Attorneys listed in the U.S. Government Organization Manual;

Bureau of Prisons and United States Board of Parole—at the principal office of each of those agencies at 101 Indiana Avenue NW., Washington, D.C. 20537;

Community Relations Service—at 512 9th Street NW., Washington, D.C. 20530;

Internal Security Division (for registrations of foreign agents and others pursuant to 28 CFR Parts 5, 10, 11, and 12)—at Room 458, Federal Triangle Building, 315 9th Street NW., Washington, D.C. 20530;

Board of Immigration Appeals—at Room 316, 101 Indiana Avenue NW., Washington, D.C. 20537;

All other Offices, Divisions, and Bureaus of the Department of Justice (except for the Immigration & Naturalization Service whose reading room facilities are covered in 8 CFR 103.9(e))—at Room 6311, Department of Justice, 10th Street and Pennsylvania Avenue NW., Washington, D.C. 20530.

Each of these public reference facilities will maintain and make available for public inspection and copying a current index of the materials available at that facility which are required to be indexed by 5 U.S.C. 552(a)(2).

§ 16.3 Requests for identifiable records and copies.

(a) A request for a record of the Department which is not customarily made available, which is not available in a public reference facility as described in § 16.2, and which is not a record maintained by the Immigration and Naturalization Service or the Board of Immigration Appeals, shall be made on Form D.J. 118, copies of which may be obtained from any of the offices listed in § 16.2. The request form may be presented during normal business hours at any of the offices listed in § 16.2, or it may be mailed, with the payment of charges prescribed in § 16.4, to the Deputy Attorney General, Washington, D.C. 20530. A separate Form D.J. 118 must be submitted for each record requested.

(b) Each executed Form D.J. 118 submitted shall contain in the space provided a description of the record requested which is sufficiently specific with respect to names, dates, subject matter, and location, to permit the record to be identified and located.

(c) Charges for work done in processing requests filed on Form D.J. 118 will be made in accordance with the schedule set forth in § 16.4. Such charges are payable in advance of the performance of the work involved. Because storage facilities in the Department of Justice are limited, many of its records are stored at Federal Records Centers operated by the General Services Administration. All costs assessed by the General Services Administration for making such records available to the Department for the purposes of this subpart will be added to the charges assessed against the person submitting the Form D.J. 118.

(d) Except where circumstances require special processing, executed Forms D.J. 118 will be processed in the order in which they are received. Efforts will be made to make records which have been requested and identified available as promptly as is reasonable under the particular circumstances.

(e) Where a requested record cannot be located from the information on Form D.J. 118 or is known to have been destroyed or otherwise disposed of, the person making the request will be appropriately notified.

(f) Many of the records in the files of the Department are obtained from other agencies for litigation or other purposes. Where the question of the availability of such record is determined to be primarily the responsibility of such other agency, the request will be referred to that agency for processing in accordance with that agency's regulations, and the person submitting the request shall be so notified. The decision of the responsible officer of that agency with respect to such record will be honored by this Department.

(g) When a requested record has been identified and is available, the person who filed the Form D.J. 118 will be notified as to where and when the record will be available for inspection. Upon payment of the necessary fees, a copy of an available record may be furnished to the requester in person or by mail.

§ 16.4 Schedule of fees and services.

For the services listed below expended in locating or making available records or copies thereof under 5 U.S.C. 552, the following user charges are deemed fair and equitable and shall be assessed against the person who requests a record.

(a) Each Form D.J. 118 shall be accompanied by payment of. This charge will be retained by the Department whether or not an identified record is located.	$3.00
(b) For each one quarter man-hour or fraction thereof spent in excess of the first quarter hour in searching for or producing a requested record	$1.00
(c) For each one quarter hour or fraction thereof spent in monitoring the requester's examination of materials	$1.00
(d) For copies of documents:	
First page	$0.50
Each additional page	$0.25
(e) Maximum number of copies furnished of any document	10
(f) For certification of true copies, each	$1.00

(g) For attestation under the seal of the Department, each..... $3.00

Payment under this section shall be made in cash, by U.S. postal money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted. Where the estimated fee paid in advance by the person submitting a Form D.J. 118 exceeds the fee chargeable under this schedule, the balance will be refunded. The fee schedule for the Immigration and Naturalization Service is found at 8 CFR 103.7.

§ 16.5 Exemptions.

5 U.S.C. 552 exempts from all of its publication and disclosure requirements nine categories of records which are described in subsection (b). These categories include such matters as national defense and foreign policy information, investigatory files, internal procedures and communications, materials exempted from disclosure by other statutes, information given in confidence, and matters involving personal privacy. The scope of the exemptions is discussed in the Attorney General's Memorandum referred to in § 16.1.

§ 16.6 Records of the Immigration and Naturalization Service and of the Board of Immigration Appeals.

(a) Requests for records of the Immigration and Naturalization Service (the "Service") or the Board of Immigration Appeals (the "Board") shall be made in accordance with the regulations of the Service found in 8 CFR 103.10.

(b) The Service is authorized to grant a request for a record filed on Form N–585 to the extent set forth in § 103.10 of its regulations. A request on Form N–585 involving any other Service or Board record shall be forwarded by the Service to the Deputy Attorney General together with (1) a copy of any identified record and a recommendation as to whether it shall be made available, or (2) a brief summary of what has been done to identify or find a record which could not be identified or found. The forwarding office will be notified promptly following the decision of the Deputy Attorney General and will give prompt notice thereof to the person submitting the request. Where appropriate, such notice will recite the place, time, and manner in which a record will be made available.

(c) Notwithstanding the provisions of this § 16.6 or of any other regulation, no officer or employee of the Service or of the Board shall make available any record which the Attorney General has determined shall not be made available.

§ 16.7 Administrative decision and review.

(a) All Forms D.J. 118 received at any of the offices listed in § 16.2 shall be forwarded to the Deputy Attorney General. If the office receiving the request also has possession of the record or a copy thereof, there shall be included with the forwarded Form D.J. 118 a copy of the record and a recommendation by that office whether the requested record should be made available.

(b) The Deputy Attorney General shall grant or deny each request made on a Form D.J. 118 or on a Form N–585 forwarded pursuant to § 16.6(b). The denial of each request shall be in writing and shall contain a simple statement of reasons for the denial. The decision of the Deputy Attorney General shall be final, subject only to review as provided in paragraph (c) of this section.

(c) Review of the decision of the Deputy Attorney General may be requested by the person submitting the Form D.J. 118 or N–585 within 30 days after the date of the notice advising him of the decision. The filing of a request for review may be accomplished by mailing to the Attorney General, Department of Justice, Washington, D.C. 20530, by certified mail, a copy of the written denial issued under paragraph (b) of this section and a statement of the circumstances, reasons or arguments advanced for insistence upon disclosure of the originally requested record. The decision after review will be promptly communicated to the person requesting review, and will constitute the final action of the Department.

Subpart B—Production in Response to Subpenas or Demands of Courts or Other Authorities

§ 16.11 Purpose and scope.

This subpart contains the regulations of the Department of Justice concerning procedures to be followed when a subpena, order, or other demand (hereinafter in this subpart referred to as a "demand") of a court or other authority is issued for the production or disclosure of (a) any material contained in the files of the Department, (b) any information relating to material contained in the files of the Department, or (c) any information or material acquired by any person while such person was an employee of the Department as a part of the performance of his official duties or because of his official status. For the purposes of this subpart, the term "employee of the Department" includes all officers and employees of the United States appointed by, or subject to the supervision, jurisdiction, or control of, the Attorney General of the United States, including U.S. attorneys, U.S. marshals, and members of the staffs of those officials.

§ 16.12 Production prohibited unless approved by the Attorney General.

No employee or former employee of the Department of Justice shall, in response to a demand of a court or other authority, produce any material contained in the files of the Department of Justice or disclose any information relating to material contained in the files of the Department of Justice or disclose any information or produce any material acquired as a part of the performance of his official duties or because of his official status without the prior approval of the Attorney General.

§ 16.13 Procedure in the event of a demand for production or disclosure.

(a) Whenever a demand is made upon an employee or former employee of the Department of Justice for the production of material or the disclosure of information described in § 16.11, he shall immediately notify the Attorney General and the U.S. attorney for the district where the issuing court or other authority is located. The U.S. attorney shall immediately request instructions from the Attorney General. If possible, the Attorney General shall be notified before the employee or former employee concerned replies to or appears before the court or other authority.

(b) If response to the demand is required before the instructions from the Attorney General are received, the U.S. attorney or other attorney as may be designated for the purpose, shall appear with the employee or former employee of the Department upon whom the demand has been made, and shall furnish the court or other authority with a copy of the regulations contained in this subpart and inform the court or other authority that the demand has been or is being, as the case may be, referred for the prompt consideration of the Attorney General. The court or other authority shall be requested respectfully to stay the demand pending receipt of the requested instructions from the Attorney General.

§ 16.14 Procedure in the event of an adverse ruling.

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with § 16.13(b) pending receipt of instructions from the Attorney General, or if the court or other authority rules that the demand must be complied with irrespective of the instructions from the Attorney General not to produce the material or disclose the information sought, the employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand (United States ex rel Touhy v. Ragen, 340 U.S. 462).

Effective date. The regulations in this Part 16 are effective July 4, 1967.

Dated: June 29, 1967.

RAMSEY CLARK,
Attorney General.

[F.R. Doc. 67–7673; Filed, July 3, 1967; 8:54 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 92—BUREAU OF THE MINT PROCEDURES AND DESCRIPTIONS OF FORMS

Records and Appeals

Part 92, Chapter I of Subtitle B, of Title 31 of the Code of Federal Regulations is hereby amended by revoking §§ 92.21, 92.22, 92.23 and 92.24, and adding new sections as follows:

§ 92.21 Procedure governing availability of Bureau of the Mint records.

(a) *Regulations of the Office of the Secretary adopted.* The regulations on the Disclosure of Records of the Office of the Secretary and other bureaus and offices of the Department issued under 5 U.S.C. 301 and 552 and published as Part 1 of Title 31 of the Code of Federal Regulations, 32 F.R. No. 127, July 1, 1967, except for 31 CFR 1.7 entitled "Appeal", shall govern the availability of Bureau of the Mint records.

(b) *Determination of availability.* The Director of the Mint delegates authority to the following Mint officials to determine, in accordance with 31 CFR Part 1, which of the records or information requested is available, subject to the appeal provided in § 92.22: The Assistant Director of the Mint, Division Heads in the Office of the Director, and the Superintendent or Officer in Charge of the field Office where the record is located.

(c) *Requests for identifiable records.* A written request for an identifiable record shall be addressed to the Director of the Mint, Washington, D.C. 20220. A request presented in person shall be made in the public reading room of the Treasury Department, 15th Street and Pennsylvania Avenue NW., Washington, D.C., or in such other office designated by the Director of the Mint.

§ 92.22 Appeal.

(a) Any person denied access to records requested under § 92.21 may, within 30 days after notification of such denial, file an appeal to the Director of the Mint. The appeal shall provide the name and address of the appellant, the identification of the record denied and the date of the original request and its denial.

(b) The appeal will be promptly considered. The granting or denial of the request upon appeal shall constitute final action of the Bureau of the Mint.

(5 U.S.C. 301, 552)

Effective date. These regulations shall become effective July 4, 1967.

Dated: June 28, 1967.

[SEAL] ROBERT A. WALLACE,
Assistant Secretary.

[F.R. Doc. 67-7503; Filed, July 3, 1967; 8:45 a.m.]

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

PART 257—PAYMENT ON ACCOUNT OF DEPOSITS IN THE POSTAL SAVINGS SYSTEM

On page 7858 of the FEDERAL REGISTER of May 25, 1967, there was published a notice of proposed rule making to issue regulations governing payment by the Treasury to depositors in the Postal Savings System. Public Law 89-377 discontinued that System and directed the transfer on July 1, 1967, of the total amount of unpaid deposits to a trust fund deposit account on the books of the Treasury to remain available for payments when proper claims are received. Interested persons were given 30 days in which to submit in writing relevant data, views or arguments to the Commissioner of Accounts, Treasury Department, regarding the proposed regulations.

No such submissions have been received, and the proposed regulations are hereby adopted without change and are set forth below.

Effective date. The regulations shall be effective on July 1, 1967.

Dated: June 29, 1967.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

Sec.
257.1 Scope of regulations.
257.2 Application for withdrawals.
257.3 Payments to depositors.

AUTHORITY: The provisions of this Part 257 issued under 5 U.S.C. 301.

§ 257.1 Scope of regulations.

The regulations in this part govern payment by the Treasury Department to depositors in the Postal Savings System from the total amount of unpaid deposits transferred to the Secretary of the Treasury. The Postal Savings System as such was discontinued, and the unpaid deposits transferred to the Secretary on July 1, 1967, by section 1 of Public Law 89-377 (39 U.S.C. 5225(a) and 5228).

§ 257.2 Application for withdrawals.

(a) Depositors should continue to make application for withdrawals of their deposits in the Postal Savings System to their local post office depositories, on the forms and supported by the evidence set forth in existing Post Office Department regulations. Those regulations are set forth in 39 CFR Part 173, as amended at 32 F.R. 3294 and supplemented by Postal Bulletin 20590 of May 18, 1967.

(b) Application for withdrawals from those deposit accounts for which no deposits or withdrawals have been made for more than 20 years may be made to a local post office depository or the Investments Branch, Bureau of Accounts, Treasury Department, Washington, D.C. 20226. That Branch will supply application forms on request and will be guided by the Post Office Department regulations designated in paragraph (a) of this section in its requirements for supporting evidence.

§ 257.3 Payment to depositors.

On and after July 1, 1967, all payments to depositors from Postal Savings System accounts will be made by the Investments Branch. Applications by depositors for withdrawals made to local post office depositories will be forwarded by those depositories to the Investments Branch, and, therefore, no specific application for payment to that Branch will be required from such depositors.

[F.R. Doc. 67-7633; Filed, June 30, 1967; 8:50 a.m.]

PART 270—AVAILABILITY OF RECORDS

Subchapter A, Chapter II of Title 31 of the Code of Federal Regulations is hereby amended by revising Part 270 to read as follows:

Sec.
270.1 Rules governing availability of information.
270.2 Materials available for inspection and copying.
270.3 Requests for identifiable records.

AUTHORITY: The provisions of this Part 270 issued under 5 U.S.C. 552.

§ 270.1 Rules governing availability of information.

The records of the Bureau of Accounts required by 5 U.S.C. 552 to be made available to the public shall be made available in accordance with the definitions, procedures, payment of fees, and other provisions of the regulations on the Disclosure of Records of the Office of the Secretary and of other bureaus and offices of the Department issued under 5 U.S.C. 552 and published as Part 1 of Title 31 of the Code of Federal Regulations, 32 F.R. No. 127, July 1, 1967, as supplemented by these regulations.

§ 270.2 Materials available for inspection and copying.

(a) *Materials available.* The materials in the Bureau of Accounts which are required by 5 U.S.C. 552(a)(2) to be made available for public inspection and copying are the following:

(1) Final opinions, as well as orders, made in the adjudication of cases. The Bureau of Accounts does not generally issue orders in the adjudication of cases.

(2) Statements of policy and interpretations which have been adopted by the Bureau and are not published in the FEDERAL REGISTER.

(3) Administrative staff manuals and instructions to staff that affect a member of the public. These materials include the Treasury Fiscal Requirements Manual and such Department Circulars applicable to Bureau of Accounts' operations, that affect a member of the public, as have not been incorporated into that manual or published as parts of Title 31 of the Code of Federal Regulations.

(4) Current indices for the foregoing materials.

(b) *Location.* The materials listed in paragraph (a) of this section issued on or after the effective date of these regulations are available for inspection and copying during office hours in the public reading room of the Treasury Department, 15th Street and Pennsylvania Avenue NW., Washington, D.C. 20220. Materials issued prior thereto are available in the public reading room to the extent feasible. If not so available, they may be requested as identifiable records.

§ 270.3 Requests for identifiable records.

(a) *Procedure.* A written request for an identifiable record shall be addressed to the Commissioner of Accounts, Washington, D.C. 20226. A request presented in person shall be made at the office of the Operating Facilities Officer, Room 100, Treasury Department, Annex 1, Pennsylvania Avenue at Madison Place.

(b) *Determination of request.* Determination as to the disclosure of a record requested shall be made, subject to appeal to the Commissioner of Accounts, by the head of the division in which the record belongs and by the Assistant Commissioner for records in the Office of the Commissioner. The decision of the Commissioner shall constitute final agency action, unless he refers the appeal to the Fiscal Assistant Secretary, in which case the decision of the Fiscal Assistant Secretary shall constitute final agency action.

Effective date. These regulations shall become effective July 4, 1967.

Dated: June 28, 1967.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 67-7594; Filed, July 3, 1967; 8:45 a.m.]

SUBCHAPTER C—OFFICE OF THE TREASURER OF THE UNITED STATES

PART 351—AVAILABILITY OF RECORDS

Subchapter C, Chapter II of Title 31 of the Code of Federal Regulations is hereby amended by revising Part 351 to read as follows:

Sec.
351.1 Rules governing availability of information.
351.2 Materials available for inspection and copying.
351.3 Requests for identifiable records.

AUTHORITY: The provisions of this Part 351 issued under 5 U.S.C. 552.

§ 351.1 Rules governing availability of information.

The records of the Office of the Treasurer required by 5 U.S.C. 552 to be made available to the public shall be made available in accordance with the definitions, procedures, payment of fees, and other provisions of the regulations on the Disclosure of Records of the Office of the Secretary and of other bureaus and offices of the Department issued under 5 U.S.C. 552 and published as Part 1 of Title 31 of the Code of Federal Regulations, 32 F.R. No. 127, July 1, 1967, as supplemented by the regulations of this part.

§ 351.2 Materials available for inspection and copying.

(a) *Materials available.* The materials in the Office of the Treasurer which are required by 5 U.S.C. 552(a)(2) to be made available for inspection and copying are the following:

(1) Final opinions, as well as orders, made in the adjudication of cases. These will include final dispositions of claims on Government checks and claims for the redemption of mutilated currency of the United States which are of a precedential nature.

(2) Statements of policy and interpretations which have been adopted by the Bureau and are not published in the FEDERAL REGISTER.

(3) Administrative staff manuals and instructions to staff that affect a member of the public. These materials include the Treasurer's memoranda and such Department circulars applicable to Office of Treasurer's operations, that affect a member of the public, as have not been published as parts of Title 31 of the Code of Federal Regulations.

(4) Current index of items cited in subparagraphs (1), (2), and (3) of this paragraph.

(b) *Locations.* The materials listed in subsection (a) issued on or after the effective date of these regulations are available for inspection and copying during office hours in the public reading room of the Treasury Department, 15th Street and Pennsylvania Avenue NW., Washington, D.C. 20220.

§ 351.3 Requests for identifiable records.

(a) *Procedure.* A written request for an identifiable record shall be addressed to the Public Records Officer, Office of the Treasurer, Treasury Department, 15th Street and Pennsylvania Avenue NW., Washington, D.C. 20220. A request presented in person shall be made at the office of the Public Records Officer at the address shown above.

(b) *Determination of request.* Determination as to the disclosure of a record requested shall be made, subject to appeal to the Treasurer of the United States, by the head of the division in which the record belongs. The decision of the Treasurer shall constitute final agency action, unless a referral of the appeal is made to the Fiscal Assistant Secretary, in which case the decision of the Fiscal Assistant Secretary shall constitute final agency action.

Effective date. These regulations shall become effective July 4, 1967.

Dated: June 28, 1967.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 67-7595; Filed, July 3, 1967; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER P—RECORDS

PART 286—AVAILABILITY TO THE PUBLIC OF DEPARTMENT OF DEFENSE INFORMATION

The Deputy Secretary of Defense approved the following:

Sec.
286.1 Purpose.
286.2 Cancellation.
286.3 Applicability and scope.
286.4 Policy.
286.5 Publication in the FEDERAL REGISTER.
286.6 Inspection and copying of opinions, orders, and manuals.
286.7 Availability of records.
286.8 Exemptions.
286.9 Identification and marking "for official use only".
286.10 Release procedures.
286.11 Judicial action.
286.12 Implementation.

AUTHORITY: The provisions of this Part 286 issued under sec. 301, 552, title 5, United States Code.

§ 286.1 Purpose.

This part:

(a) Implements the provisions of 5 U.S.C. 552 by describing

(1) The kinds of documentary material or records that must be made available to the public and the procedures which shall be used in making them available by (i) publishing them in the FEDERAL REGISTER, (ii) providing an opportunity to read and copy them at convenient locations, with current indices, and (iii) providing copies when they are identified adequately; and

(2) The kinds of documentary material and records which do not need to be made available to the public under the exemptions of 5 U.S.C. 552.

(b) Prescribes (1) a uniform policy for the identification and marking of documentary material or records which are not to be made public; and (2) the use of the term "For official use only" (FOUO) as the only designation (other than that prescribed by DoD Directive 5200.20, "Distribution Statements (Other Than Security) on Technical Documents", March 29, 1965[1]) to identify material or records not to be released to the public for reasons other than security classification under DoD Instruction 5210.47, "Security Classification of Official Information", December 31, 1964.[1]

(c) Provides procedures for review of refusals to release documentary material or records to preclude unnecessary or unauthorized withholding, and for responding to court actions taken to compel release of documentary material or records determined by proper authority to be within the exemptions stated in 5 U.S.C. 552 or otherwise withheld under the authority of this part.

§ 286.2 Cancellation.

DoD Directive 5200.6, "Policy Governing the Custody, Use and Preservation of Department of Defense Official Information which Requires Protection in the Public Interest," March 22, 1967,[1] is hereby cancelled.

§ 286.3 Applicability and scope.

The provisions of this part apply to the Office of the Secretary of Defense, the military departments, Organization of the Joint Chiefs of Staff, and all other Department of Defense agencies, each

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[1] Filed as part of original document. Copies of these as well as all other DoD Directives and Instructions are available at the Publications Counter, OASD (Administration), 3B200, Pentagon, OXford 52167.

hereinafter referred to as a component, and govern all records in the custody of the Department of Defense. They provide specifically for making information available to the general public. Requests from members of Congress are governed by DoD Directive 5400.4, "Provision of Information to Congress," December 24, 1966 [1] and from the General Accounting Office by DoD Directive 7650.1, "General Accounting Office Comprehensive Audits," July 9, 1958.[1] Requests from other government agencies and the courts for release and authentication of records are governed by DoD Directive 5015.1, "Release and Authentication of Official Records" (Part 285 of this chapter). Receipt of service of process is determined by Part 258 of this chapter. National Security Agency official records and information are exempted from the provisions of this part in accordance with Public Law 86-36 (50 U.S.C. 402 note) (National Security Information Exemption).

§ 286.4 Policy.

(a) It is the policy of the Department of Defense, consistent with 5 U.S.C. 552, to make available to the public the maximum amount of information concerning its operations and activities. Exceptions to the requirement for disclosure shall be made in accordance with § 286.8 and the release procedures prescribed in § 286.10(a).

(b) Information exempt from public disclosure under the provisions of § 286.8 should be made available to the public when its disclosure is not inconsistent with statutory requirements (see § 286.8 (b)(3)) or with DoD Directive 5210.47, "Security Classification of Official Information," December 31, 1964 [1] and when component officials determine that no significant purpose would be served by withholding the information. The determination of whether a significant purpose is served by withholding information under the provisions of § 286.8 is within the sole discretion of the component.

(c) Records and other document or related material may be withheld from the public only as authorized by 5 U.S.C. 552 and by the implementing regulations issued pursuant to this part. In no event shall the determination that requested information comes within any of the specific exemptions of 5 U.S.C. 552 or that the information has not been properly requested be influenced by the possibility that its release might suggest administrative error or inefficiency or might embarrass a component or an official of that component. (See DoD Directive 5230.13, "Principles of Public Information Policy," May 31, 1961 [1]).

§ 286.5 Publication in the Federal Register.

Subject to the exemptions set forth in § 286.8:

(a) Each component shall publish in the FEDERAL REGISTER an informative, current description for the guidance of the public, of where, how, and by what authority it performs any of its functions. In deciding which information to publish in the FEDERAL REGISTER a component shall consider the fundamental objective of informing all interested persons of how to deal effectively with the component.

(b) Information to be published in the FEDERAL REGISTER shall include:

(1) The central and field organization of the component concerned, and the established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals or requests, or obtain decisions.

(2) The procedures by which a component conducts its business with the public, both formally and informally.

(3) The rules of procedure which must be followed, the description of forms which must be completed, or the source from which forms may be obtained, and instructions on the scope and content of papers, reports, or examinations required to be submitted pursuant to such rules of procedure.

(4) Directives, instructions, regulations, manuals, policy memoranda, statements or interpretations of policies and other substantive rules of general applicability affecting the public.

(c) Joint regulations shall be published in accordance with DoD Directive 5025.2, "Publication of Joint Regulations of the Armed Forces (Federal Register)", October 29, 1954.[1]

(d) With the approval of the Director of the Federal Register, the requirement for publication in the FEDERAL REGISTER (1 CFR Part 20, June 1, 1967, 32 F.R. 7899) may be satisfied by reference in the FEDERAL REGISTER to other publications readily available to the class of persons affected and containing the information which must otherwise be published in the FEDERAL REGISTER.

(1) In order to be eligible for incorporation by reference the matter must be in the nature of published data, criteria, standards, specifications, techniques, illustrations, or other published information reasonably available to members of the class affected thereby.

(2) Incorporation by reference is not acceptable as a complete substitute for promulgating in full text material required to be published by 5 U.S.C. 552.

(3) Incorporation by reference is acceptable as a means of avoiding unnecessary repetition within the promulgated document of published information already reasonably available to the class affected. Examples include:

(i) Construction standards promulgated by a professional association of architects, engineers, or builders.

(ii) Codes of ethics promulgated by professional organizations.

(iii) Forms and formats publicly or privately published and readily available to the persons required to use them.

(e) It is incumbent upon each component to review all information of the type described in paragraph (b) of this section, to ensure that it is published on an up-to-date basis in the FEDERAL REGISTER, including every amendment, revision, or repeal. No member of the general public can be required to resort to, or be adversely affected by, any material not published as required by the foregoing provisions of this § 286.5 unless he has actual and timely notice of the content of that material.

§ 286.6 Inspection and copying of opinions, orders, and manuals.

(a) Subject to the exemptions set forth in § 286.8, each component of the Department of Defense shall make available for public inspection and copying in an appropriate facility or facilities in accordance with rules published in the FEDERAL REGISTER the following materials, unless such materials are published and copies offered for sale:

(1) All final opinions (including concurring and dissenting opinions) and orders in adjudications (as defined in 5 U.S.C. 551 (section 2 of the Administrative Procedure Act)) that may be cited, used, or relied upon as precedents in future adjudications.

(2) Statements of policy and interpretations of less than general applicability affecting the public but not published in the FEDERAL REGISTER.

(3) Administrative staff manuals and instructions, or portions thereof, which establish Department of Defense policy or interpretations of policy that are determinative of the rights of members of the public. This provision does not apply to instructions for employees on the tactics and techniques to be used in performing their duties, or to instructions relating only to the internal management of the agency. Examples of manuals and instructions not normally made available are:

(i) Those issued for audit and inspection purposes or those which prescribe operational tactics, standards of performance, or criteria for defense, prosecution, or settlement of cases.

(ii) Operations and maintenance manuals and technical information concerning munitions, equipment, and systems.

(b) The cost to the component of copying any such opinion, order, or statement of policy or interpretation shall be imposed on the person requesting the copy in accordance with Act of August 31, 1951, section 501, 65 Stat. 290, and Part 288 of this subchapter.

(c) When feasible, all material that is published in the FEDERAL REGISTER should be made available for inspection and copying along with any available index of that published material, in the same facility or facilities provided for inspection and copying of opinions, orders and manuals.

(d) Identifying details which if revealed would create a clearly unwarranted invasion of personal privacy may be deleted from any final opinion, order, statement of policy, interpretation, staff manual, or instruction, made available for inspection and copying. In every such case, the justification for the deletion must be fully explained in writing. However, a component may publish in the FEDERAL REGISTER a description of the basis upon which it will delete identifying details of particular types of documents in order to avoid clearly unwarranted invasions of privacy. In appropriate cases the component may refer

[1] Filed as part of original document. Copies of these as well as all other DoD Directives and Instructions are available at the Publications Counter, OASD (Administration), 3B200, Pentagon, OXford 52167.

to this description rather than write a separate justification for the deletion.

(e) Each component shall maintain, on a current basis, in each facility provided for inspection and copying, an index of material issued, adopted, or promulgated after July 4, 1967, which is made available or published under paragraph (a) of this section. The index should be arranged topically or by descriptive words, so that members of the public may be able to locate final opinions, orders, statements of policy, interpretations, staff manuals, or instructions by subject, rather than by case name or by numbering system. Case name and numbering arrangements may, however, also be included in the index for purposes of component convenience.

(f) No order, opinion, statement of policy, interpretation, staff manual, or instruction issued, promulgated, or adopted after July 4, 1967, which is not indexed and either made available or published, may be relied upon, used, or cited as precedent against any member of the public unless he has actual and timely notice of its terms. If the order, opinion, statement of policy, interpretation, staff manual, or instruction was issued, promulgated, or adopted before July 4, 1967, it need not be indexed but must be made available in accordance with paragraph (a) of this section.

(1) In determining whether an order, opinion, statement of policy, interpretation, staff manual or instruction is likely to be used or relied upon as precedent, the primary test shall be whether it is intended to provide binding guidance for decisions or evaluations by subordinates or for future decisions by the same authority in adjudications of cases affecting the public, where similar facts or issued are presented.

(2) With regard to the precedential effect of an adjudication, opinions and orders of the Boards of Review exemplify the type that shall be made available for inspection and copying, since they may be relied upon, used, or cited in future adjudications. By contrast, orders and opinions resulting from adjudications such as those involving internal personnel (including military personnel) proceedings and security proceedings are not required to be made available to the general public for inspection and copying since they are not relied upon, used, or cited in future adjudications.

§ 286.7 Availability of records.

(a) Subject to the exemptions set forth in § 286.8 and the procedural requirements of § 286.10, any record in the possession of a Department of Defense component shall be made available upon the request of any person. Copies of records which are published in accordance with § 286.5, or made available for inspection and copying in accordance with § 286.6 should, where practicable, also be given to those who request them.

(b) In determining whether documentary material qualifies as a "record" consideration should be given to Act of July 7, 1943, ch. 192, sec. 1 (44 U.S.C. 366) (Records Disposal) which defines the word "record" for records disposal purposes as follows:

[It] includes all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any agency of the U.S. Government in pursuance of Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data contained therein.

(1) The term "records" does not include objects or articles such as structures, furniture, paintings, sculpture, three-dimensional models, vehicles, equipment, etc., whatever their historical value or value as "evidence."

(2) Records are not limited to permanent or historical documents but include contemporaneous documents as well.

(c) A request for a record will be honored if:

(1) The requester describes the record sought with sufficient particularity to enable the Department of Defense to locate the record requested with a reasonable amount of effort.

(2) The requester is willing and able to pay the cost associated with locating and providing a copy of the record sought, as determined under regulations implementing Act of August 31, 1951, section 501, 65 Stat. 290 and Part 288 of this subchapter.

(3) The requester complies with reasonable requirements set forth in the regulations of each component regarding the time, place, and procedure for obtaining a copy of the record.

(d) In order for a record to be considered "identifiable" it must exist at the time of the request. There is no obligation to "create" a record for the purpose of satisfying a request for information. When the information requested exists in the form of several records at several locations the applicant should be referred to those sources if gathering the information would be burdensome.

(e) When the record requested was originated by another agency or component, requests shall be referred promptly and directly to that agency or component for disposition. The originating component should consult with other agencies or components having a significant interest in the content of the requested document before determining whether to make it available to the requester. A member of the public who requests a copy of material primarily concerning a Member of Congress or congressional committee, or a copy of a transcript of testimony given before a congressional committee, shall be advised to direct his request to the concerned Member or committee.

(f) Each component should avoid creating procedural obstacles when internal Department of Defense organizational questions arise, particularly where reorganization or transfer of functions contributes to an improperly directed request. Defense Department personnel shall make all reasonable efforts to assist private persons in directing requests for information to the appropriate authorities.

§ 286.8 Exemptions.

(a) Documentary material which would otherwise have to be made available under § 286.5, § 286.6, or § 286.7, may be withheld from public disclosure if it comes within a specific exemption. Even exempted material, however, should be made available upon the request of any member of the public if, in the judgment of the releasing authority, no significant purpose would be served by withholding it from him under an applicable exemption and its release is not inconsistent with statutory requirements or DoD Instruction 5210.47, "Security Classification of Official Information," December 31, 1964.[1]

(b) The following types of records may be withheld from public disclosure:

(1) Those requiring protection in the interest of national defense or foreign policy according to the criteria established by DoD Instruction 5210.47[1] or by Executive order.

(2) Those containing rules, regulations, orders, manuals, directives, and instructions relating to the internal personnel rules or to the internal practices of the Department of Defense. Examples include:

(i) Operating rules, guidelines and manuals for Department of Defense investigators, inspectors, auditors, or examiners, and schedules or methods which cannot be disclosed to the public without substantial prejudice to the effective performance of a significant function of the Department of Defense. Some of these materials would reveal:

(*a*) Negotiating and bargaining techniques.

(*b*) Bargaining limitations and positions.

(*c*) Inspection schedules and methods.

(*d*) Audit schedules and methods.

(ii) Personnel and other administrative matters such as examination questions and answers used in training courses or in the determination of the qualifications of candidates for employment, entrance to duty, advancement, or promotion.

(3) Those containing information which statutes authorize or require be withheld from the public. The authorization or requirement may be found in the terms of the statute itself or in Executive orders or regulations authorized by, or in implementation of, the statute. Examples include:

(i) 18 U.S.C. 1905 (Confidential Trade Information)—for trade, technical, and financial information provided in confidence by businesses.

(ii) Public Law 86–36 (50 U.S.C. 402 note) (National Security Information Exemption)—National Security Agency information.

(iii) 35 U.S.C. 181–188 (Patent Secrecy)—Any records containing information relating to inventions which are the subject of patent applications on which Patent Secrecy Orders have been issued.

(4) Those containing information which a component receives from any-

[1] Filed as part of original document. Copies of these as well as all other DoD Directives and Instructions are available at the Publications Counter, OASD (Administration), 3B200, Pentagon, OXford 52167.

one, including an individual, a foreign nation, an international organization, a state or local government, a corporation, or any other organization, with the understanding that it will be retained on a privileged or confidential basis, or similar commercial or financial records which the component develops internally, if they are in fact the kinds of records which are normally considered privileged or confidential. Such records include documents containing:

(i) Information customarily considered privileged or confidential under the rules of evidence in the Federal courts, such as information coming within the doctor-patient, lawyer-client, and priest-penitent privileges.

(ii) Commercial or financial information received in confidence in connection with loans, bids, or proposals, as well as other information received in confidence or privileged, such as trade secrets, inventions and discoveries, or other proprietary data.

(iii) Statistical data and commercial or financial information concerning contract performance, income, profits, losses and expenditures, if received in confidence from a contractor or potential contractor.

(iv) Information such as research data, formulae, designs, drawings, and other technical data and reports which:

(*a*) Are significant as items of valuable property acquired in connection with research, grants, or contracts.

(*b*) Would likely be held in confidence if owned by private parties.

(v) Personal statements given in the course of inspections or investigations, where such statements are received in confidence from the individual and retained in confidence.

(5) Except as provided in subdivision (ii) of this subparagraph, internal communications within and among agencies and components.

(i) Examples include:

(*a*) Staff papers containing staff advice, opinions, or suggestions.

(*b*) Information received or generated by a component preliminary to a decision or action, including draft versions of documents, where premature disclosure would harm the authorized appropriate purpose for which the records are being used.

(*c*) Advice, suggestions, or reports prepared on behalf of the Department of Defense by boards, committees, councils, groups, panels, conferences, commissions, task forces, or other similar groups that are formed by a component to obtain advice and recommendations.

(*d*) Records of DoD component evaluations of contractors and their products which in effect constitute recommendations or advice and could be used improperly to the advantage or to the detriment of private interests.

(*e*) Advance information on such matters as proposed plans to procure, lease, or otherwise acquire and dispose of materials, real estate, facilities, or functions when such information would provide undue or unfair competitive advantage to private personal interests.

(*f*) Records which are exchanged among agency personnel or within and among components or agencies preparing for anticipated legal proceedings before any federal, state or military court or before any regulatory body.

(*g*) Reports of inspections, audits, investigations or surveys which pertain to safety, security, or the internal management, administration, or operation of the Department of Defense.

(ii) If any such intra- or inter-agency information requested would routinely be made available through the discovery process in the course of litigation with the agency, then it should not be withheld from the general public. If, however, the information would only be made available through the discovery process by special order of the court based on the particular needs of a litigant balanced against the interests of the agency in maintaining its confidentiality, then the record or document should not be made available to a member of the general public.

(6) Information in personnel and medical files, as well as information in similar files that, if disclosed to a member of the public, would result in a clearly unwarranted invasion of personal privacy.

(i) Examples of files similar to personnel and medical files include:

(*a*) Those compiled to evaluate or adjudicate the suitability of candidates for civilian employment and the eligibility of individuals, civilian, military or industrial, for security clearances.

(*b*) Files containing reports, records, and other material pertaining to personnel matters in which administrative action, including disciplinary action, may be taken.

(ii) In determining whether the release of information would result in a clearly unwarranted invasion of privacy, consideration should be given, in cases such as those involving alleged misconduct, to the relationship of the alleged misconduct to an individual's official duties, the amount of time which has passed since the alleged misconduct, and the degree to which the individual's privacy has already been invaded. Thus, the release of information concerning alleged misconduct which is closely related to official duties, which has occurred recently, and which has already been exposed to the public is less likely to constitute a clearly unwarranted invasion of personal privacy.

(iii) When the sole and exclusive basis for withholding information is protection of the personal privacy of an individual, the information should not be withheld from him or from his designated legal representative. An individual's personnel, medical, or similar files may be withheld from him or from his designated legal representative for reasons other than the protection of his personal privacy when valid Civil Service Commission regulations or other valid regulations so authorize.

(7) Investigatory files compiled for the purpose of enforcing civil, criminal, or military law, including Executive orders, or regulations validly adopted pursuant to law (see 5 U.S.C. 301 (General Departmental Regulations)).

(i) Examples include:

(*a*) Statements of witnesses and other material based on the information developed during the course of the investigation and all materials prepared in connection with related Government litigation or adjudicative proceedings.

(*b*) Lists of firms or individuals suspended under procurement regulations when the lists are compiled in connection with investigations of irregularities.

(ii) The right of individual litigants to investigatory files currently available by law is not diminished.

(8) Those contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

(9) Those containing geological and geophysical information and data (including maps) concerning wells.

§ 286.9 Identification and marking "for official use only".

(a) Records which are not classified under DoD Instructions 5210.47[1] but which are authorized by 5 U.S.C. 552 to be withheld from general public disclosure under § 286.8 and which for a significant reason should not be given general circulation shall be considered as being "For official use only" (FOUO).

(b) A record that is considered "For official use only" may be marked "For official use only" when such marking is deemed necessary to ensure that all persons having access to the record are aware that it should not be publicly released and should not be handled indiscriminately. Individual folders, records, and files covering specific kinds of subject matter, normally falling within the exemptions of § 286.8 such as personnel and medical files, bids, proposals, and the like, which are covered by rules and regulations specifying what may be released publicly, do not require the "FOUO" marking unless handled under circumstances where marking is essential to ensure protection of the information involved.

(1) The marking shall not be used on records which are classified under DoD Instruction 5210.47,[1] but, if otherwise proper under this part, may be applied to information or material which has been declassified.

(2) Information contained in a technical document for which a determination has been made that a distribution statement under DoD Directive 5200.20, "Distribution Statements (Other Than Security) on Technical Documents", March 29, 1965[1] is appropriate shall not be marked "FOUO."

(c) Material which is considered for "For official use only" must be safeguarded from general disclosure irrespective of whether the material is physically marked with the term "For official use only."

(d) Whenever necessary to assure proper understanding, individual paragraphs which contain FOUO information shall be marked with the symbol

[1] Filed as part of original document. Copies of these as well as all other DoD Directives and Instructions are available at the Publications Counter, OASD (Administration), 3B200, Pentagon, OXford 52167.

"FOUO." In classified documents, this marking should be applied only to paragraphs which contain FOUO information and do not contain classified information.

(c) Supplementary instructions regarding marking, safeguarding, and transmitting FOUO material may be issued by the Assistant Secretary of Defense (Administration).

§ 286.10 Release procedures.

(a) The policy of the Department of Defense, as stated in § 286.5(a), is to make the maximum amount of information available to the public. Therefore, when a person requests that a record be made available, that request may be denied upon a determination that:

(1) The record is subject to one of the exemptions set for in § 286.8; or

(2) The record cannot be found because it has not been adequately identified; or

(3) The applicant has unreasonably failed to comply with the procedural requirements imposed by the implementing regulations of the component concerned.

(b) The initial determination of whether to make a record available upon request may be made at any suitable level and by any suitable official designated by the component in accordance with published regulations. The marking or absence of the marking "For official use only" does not relieve the designated suitable official of his responsibility to review the requested record for the purpose of determining whether an exemption under § 286.8 is applicable.

(c) The official designated by a component to make initial determinations should consult with public affairs officers to familiarize himself with subject matter they consider to be newsworthy, and advise them of all requests from news media representatives. In addition, he should inform public affairs officers in advance whenever he intends to release a record containing potentially newsworthy material or to withhold any record when it is likely that the withholding action will be contested.

(d) When a request for a record is denied the designated official who has made that determination shall advise the requester of the basis for the determination and of the opportunity and procedures for appealing that determination to a higher authority.

(e) Refusal to provide a record may be appealed to the head of the component having jurisdiction over the record involved. If an appeal is taken, final refusal to provide the record must be made by the head of the component concerned or his designee for that purpose in accordance with appeal procedures prescribed in regulations published in the FEDERAL REGISTER by that component. The basis for a final determination by the head of the component or his designee to refuse a record must be explained in writing to the requesting party. A copy of that explanation shall be forwarded to the General Counsel of the Department of Defense in those instances in which the requester seeks reconsideration by the head of the component or initiates legal action to compel release of the record.

§ 286.11 Judicial action.

(a) Upon exhaustion of his administrative remedy after refusal of a record by the head of a component or his designee any person may, as authorized in 5 U.S.C. 552, seek an order from a U.S. District Court in the district in which he resides or has his principal place of business or in the district in which the record is situated to produce the record.

(b) In the event a legal action is brought in a district court of the United States for the production of an agency record denied by the head of the component or his designee for that purpose, a copy of the complaint filed by the plaintiff, along with the litigation report prepared by the component for the Department of Justice, shall be forwarded to the General Counsel, Department of Defense.

(c) The burden is on the component to justify its refusal to produce the record, and its justification will be evaluated de novo by the district court.

(d) If the court orders production of a record and the responsible official designated in accordance with § 286.10 refuses to produce it, the court has statutory authorization to punish the official whose decision and order govern the determination of whether to release the record.

§ 286.12 Implementation.

(a) Each component of the Department of Defense shall issue regulations to carry out the policies set forth in this part.

(1) By mutual agreement, facilities for the examination and copying of documents and records may be shared by more than one component if the public is not inconvenienced by such an arrangement.

(2) A category of information, in whatever form, which is essentially identical and common to more than one component shall be considered eligible for exemption from disclosure to the public only in accordance with consistent regulations and practices. If the provisions of this part or related DoD instructions do not provide guidance adequate to ensure consistency in determining the applicability of exemptions, the matter shall be brought to the attention of the General Counsel with a request for supplementary guidance. This does not preclude the ad hoc release of a particular record generally considered exempt from disclosure, when no significant purpose would be served by withholding it.

(b) Two copies of implementing regulations shall be submitted to the General Counsel of the Department of Defense no later than June 30, 1967.

Effective date. This part is effective immediately to guide the development of implementing regulations and becomes effective as to the public on July 4, 1967.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 67-7604; Filed, July 3, 1967; 8:51 a.m.]

PART 287—AVAILABILITY TO THE PUBLIC OF DEFENSE COMMUNICATIONS AGENCY INFORMATION

The following Defense Communications Agency document (DCAI 210-225-1) implementing P.L. 89-487 has been approved:

Sec.
287.1 Purpose.
287.2 Applicability.
287.3 Authority.
287.4 Responsibilities.
287.5 Exemptions.
287.6 "For official use only" records.

AUTHORITY: The provisions of this Part 287 issued pursuant to secs. 301, 552, title 5, U.S. Code.

§ 287.1 Purpose.

This part establishes procedures to make available the maximum amount of information to the public concerning the operations and activities of the Defense Communications Agency (DCA).

§ 287.2 Applicability.

This part is applicable to Headquarters, DCA and DCA Field Activities.

§ 287.3 Authority.

This part is published in accordance with the authority contained in DoD Directive 5400.7, "Availability to the Public of Department of Defense Information," June 29, 1967. (Part 286 of this chapter, 32 F.R., No. 128, July 4, 1967.)

§ 287.4 Responsibilities.

(a) The Administrative Services Officer, Headquarters, DCA will:

(1) Subject to the exemptions set forth in section VIII of DoD Directive 5400.7 and unless readily available elsewhere in published form and incorporated by reference in the FEDERAL REGISTER, arrange for the publication on an up-to-date basis in the FEDERAL REGISTER those DCA Circulars, Instructions, and Notices, and other appropriate material setting forth the DCA functions and informing all interested persons how to deal effectively with the Agency.

(2) Make material described in sections V and VI of DoD Directive 5400.7 available for public inspection and copying in the DCA Headquarters, Room 2530, Navy Department Service Center, 8th Street South and South Courthouse Road, Arlington, Va. This material will be indexed in accordance with the appropriate provisions of DoD Directive 5400.7.

(b) Deputy Directors, Comptroller, and the Executive Officer, Headquarters, DCA will, subject to the exceptions set forth in DoD Directive 5400.7:

(1) Furnish the Administrative Services Officer copies of material described in sections V and VI of DoD Directive 5400.7 for the purpose of publication in the FEDERAL REGISTER and for inspection and copying in the DCA Headquarters Library.

(2) Make available to the Information Services Officer, Headquarters, DCA documentary material which qualifies as a record in accordance with section VII of DoD Directive 5400.7, for the purpose of responding to requests from private persons. All such requests will be referred to the Information Services Officer for processing.

(c) Chiefs of DCA field activities will, subject to the applicable limitations and definitions, provide the headquarters, DCA, Administrative Services Officer and Information Services Officer, as appropriate, material described in section V, VI, and VII of DoD Directive 5400.7.

(d) The Information Services Officer, Headquarters, DCA will:

(1) Respond to all requests from private persons for records.

(2) Whenever a request for a record is denied in accordance with the criteria provided in section IX of DoD Directive 5400.7, obtain the concurrence of Counsel, Headquarters, DCA, and also satisfy himself that the matter considered is not newsworthy.

(3) Advise private persons denied a record of the basis for the determination and of their right to appeal the decision to the Director, DCA. If such an appeal is taken, the basis for the determination by the Director, DCA to refuse to release the record will be in writing and will be prepared by the Counsel.

§ 287.5 Exemptions.

In all cases in which material is being withheld from public disclosure pursuant to an exemption as provided for in section VIII of DoD Directive 5400.7, the concurrence of the Counsel, DCA will be obtained where considered advisable.

§ 287.6 "For official use only" records.

The designation of "For official use only" will be applied to documents and other material only as authorized by section IX of DoD Directive 5400.7.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 67-7670; Filed, July 3, 1967; 8:54 a.m.]

PART 290—AVAILABILITY TO THE PUBLIC OF DEFENSE CONTRACT AUDIT AGENCY INFORMATION

The following Defense Contract Audit Agency document (DCAAR No. 5410.5) implements the provisions of 5 U.S.C. 552:

Sec.
290.1 Purpose.
290.2 Applicability and scope.
290.3 Policy.
290.4 Public reference facilities.
290.5 Records available.
290.6 Procedures for the release of records.
290.7 Records of other agencies.
290.8 Fees.
290.9 Appeals.
290.10 Exemptions from public disclosure.
290.11 Identification and marking "for official use only."

AUTHORITY: The provisions of this Part 290 issued under 5 U.S.C. 552.

§ 290.1 Purpose.

To describe the kinds of records and documentary material that must be made available to the public, and the procedures to be used in making such records and material available.

§ 290.2 Applicability and scope.

The provisions of this part apply to all components of the Defense Contract Audit Agency (DCAA). Procedures for releasing information to members of Congress, the General Accounting Office, courts, or other Government agencies are not included herein.

§ 290.3 Policy.

It is the policy of the Defense Contract Audit Agency, consistent with 5 U.S.C. 552, to make available to the public the maximum amount of information concerning its operations and activities.

§ 290.4 Public reference facilities.

(a) Headquarters, DCAA, and each Regional Headquarters office, shall make available for inspection and copying in an appropriate facility the following material:

(1) Final opinions and orders made in the adjudication of cases which may be cited, used or relied upon in future adjudications.

(2) Statements of policy and interpretations of less than general applicability affecting the public, such as Defense Contract Audit Agency Regulations and Instructions not otherwise exempt from public disclosure under 5 U.S.C. 552(b).

(3) Administrative staff manuals and instructions which establish Defense Contract Audit Agency policy, or interpretations of Department of Defense policy, that are determinative of the rights of members of the public, such as Volume II of the Defense Contract Audit Manual.

(4) All material which the Defense Contract Audit Agency has published in the FEDERAL REGISTER, such as the Defense Contract Audit Agency Organizational Statement.

(b) Not available to the public under this section are those portions of Defense Contract Audit Agency manuals, regulations or instructions which are issued for audit and inspection purposes, or prescribe operational tactics, standards of performances, or criteria for the defense, prosecution or settlement of cases.

(c) Each public reference facility shall provide an index arranged topically, or by descriptive words, so that members of the public may locate material contained in the public reference facility.

(d) Documents in the public reference facility will be made available to the public for inspection and copying upon request. Fees will be charged in accordance with § 290.8.

§ 290.5 Records available.

(a) As used herein, "records" includes all books, papers, maps, photographs, or other documentary material made or received by the Defense Contract Audit Agency in pursuance of Federal law, or in connection with the transaction of public business and preserved, or appropriate for preservation, as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the Government, or because of the informational value of the data contained therein. "Records" are not limited to permanent or historical documents, but include contemporary documents as well.

§ 290.6 Procedures for the release of records.

(a) Requests for access to, or copying of, Defense Contract Audit Agency records which are not available to the public in public reference facilities of the Defense Contract Audit Agency may be filed in person, or by mail, with the Executive Officer, DCAA, between 8:15 a.m. and 4:15 p.m., Monday through Friday, or with any Regional Manager, DCAA, during the local working hours of the DCAA region involved. Requests must be in writing.

(b) Upon receipt of a request for a record, the Executive Officer, or Regional Manager to whom the request is made, shall make an initial determination within 10 working days as to whether the requested record is:

(1) Described with sufficient specificity as to make it an identifiable record pursuant to 5 U.S.C. 552(a)(3).

(2) Exempt from public inspection and copying under the provisions of 5 U.S.C. 552(b).

(c) Prior to making an initial determination, the Executive Officer, or Regional Manager, shall consult with Counsel, DCAA. Requests for documents containing potentially newsworthy material shall be brought to the attention of appropriate Department of Defense public affairs officers.

(d) If it is determined that the record is adequately identified and releaseable pursuant to 5 U.S.C. 552, it shall be made available promptly to the requesting party.

(e) In the event that the record is not identified with sufficient specificity, the person making the request shall be so advised and requested to further identify the record. For a record to be considered "identifiable" it must exist at the time of the request. There is no obligation to "create" a record for the purpose of satisfying a request for information. When the information requested exists in the form of several records at several locations the applicant should be referred to those sources if gathering the information would be burdensome.

(f) Where it is determined that the record is subject to exemption under 5 U.S.C. 552(b), and that in the public interest should be withheld from public

disclosure, the Executive Officer, DCAA or the Regional Manager concerned, shall notify the applicant that the request is denied, and inform him fully of the statutory basis for the denial and of the applicant's right to appeal to the Director, DCAA, in accordance with § 290.9.

§ 290.7 Records of other agencies.

(a) When a requested record was originated by another agency or component, the request shall be referred promptly and directly to that agency or component for disposition.

(b) If a request is forwarded by another agency or component to the Defense Contract Audit Agency, this agency will consult with other agencies or components having a significant interest in the content of the requested document before determining whether to make it available to the requester.

(c) Persons requesting material primarily concerning a member of Congress or a Congressional Committee, or a copy of a transcript of testimony given before a Congressional Committee, will be advised to direct the request to the concerned member or Committee.

§ 290.8 Fees.

Appropriate fees for the furnishing and copying of records under this part will be charged in accordance with 5 U.S.C. 140 and DoD Instruction 7230.7, User Charges, dated December 20, 1966. The Deputy for Resources Management, DCAA, shall assist Regional Managers in estimating fees to be charged.

§ 290.9 Appeals.

(a) Any person aggrieved by any determination made, or action taken, pursuant to this part may appeal to the Director, DCAA, not more than 10 days after a request for a record is denied. The appeal shall be in writing and shall identify the requested material in the same manner as it was identified in the initial request. The appeal shall indicate when and to whom the request was made, the date and stated basis of the denial, and the reasons why the record should be made available.

(b) The Director, DCAA, shall inform the requester in writing within 10 working days after the receipt of the appeal whether the material will be made available in whole or in part. If the request is denied in whole or in part, the basis for the denial will be stated.

(c) In those instances in which a requester seeks reconsideration by the Director, or initiates legal action to compel release of a record, the Director's decision shall be forwarded to the General Counsel of the Department of Defense.

§ 290.10 Exemptions from public disclosure.

The following types of records may be withheld from public disclosure:

(a) Those requiring protection in the interest of national defense or foreign policy according to the criteria established by law, Executive order or DoD Instruction 5210.7, Security Classification of Official Information, dated December 31, 1964 (32 F.R. 5420).

(b) Those containing rules, regulations, orders, manuals, directives and instructions which provide only internal guidance to Defense Contract Audit Agency personnel. Examples include the following:

(1) Volume I, Contract Audit Manual.

(2) Training instructions and material for DCAA personnel.

(3) Defense Contract Audit Agency Regulations and Instructions of the 7640 series.

(c) Those containing information which statutes authorize or require to be withheld from the public. Examples include:

(1) 18 U.S.C. 1905 pertaining to trade and financial information.

(2) 35 U.S.C. 181–188 pertaining to inventions which are the subject of patent applications on which secrecy orders have been issued.

(3) Public Law 86–36 pertaining to National Security Agency information.

(d) Information received from anyone including an individual, foreign nation, international organization, State or local government, corporation, or any other private organization with the understanding that it is to be retained on a privileged or confidential basis, if they are in fact the kinds of records which are normally considered privileged or confidential. Such records include Defense Contract Audit Agency audit reports and other agency documents which contain the following material.

(1) Commercial or financial information received in confidence in connection with loans, bids, or proposals, as well as other information received in confidence or privileged, such as trade secrets, inventions, discoveries or other proprietary data.

(2) Statistical data and commercial or financial information concerning contract performance, income, profits, losses and expenditures, received in confidence from a contractor or potential contractor.

(3) Commercial information such as formulae, designs, drawings, and other technical data and reports which are significant as items of valuable property acquired in connection with research, grants or contracts.

(4) Personal statements given in the course of inspections or investigations, where such statements are received in confidence from the individual and retained in confidence.

(e) Internal communications within the Defense Contract Audit Agency and with other agencies or components, unless such intra or interagency communications would routinely be made available through the discovery process in the course of litigation with the Defense Contract Audit Agency. Examples include the following material:

(1) Staff papers containing staff advice, opinions, suggestions, or other information received or generated by a component preliminary to a decision or action.

(2) Advice, suggestions, or reports prepared on behalf of the Department of Defense by boards, committees, counsels, groups, panels, conferences, commissions, task forces, or other similar groups that are formed by a component to obtain advice and recommendations.

(3) Advance information on such matters as proposed plans to procure, lease, or otherwise acquire and dispose of materials, real estate, facilities, or functions when such information would provide undue or unfair competitive advantage to private personal interests.

(4) Records which are exchanged among agency personnel or within and among components or agencies preparing for anticipated legal proceedings before any Federal, State, or military court or before any regulatory body.

(5) Records of DoD component evaluations of contractors and their products which could be used improperly to the advantage or to the detriment of private interests.

(6) Reports of inspections, audits, investigations or surveys which pertain to safety, security, or the internal management, administration, or operation of the Department of Defense.

(f) Information in personnel and medical files, as well as similar files that, if disclosed to the public would result in a clearly unwarranted invasion of personal privacy. Examples of files similar to personnel and medical files include the following:

(1) Those compiled to evaluate or adjudicate the suitability of candidates for civilian employment and the eligibility of individuals, civilian, military or industrial, for security clearances.

(2) Files containing reports, records, and other material pertaining to individual cases in which administrative action may be taken.

(g) Investigatory files compiled for the purpose of enforcing civil, criminal, or military law, including Executive orders or regulations validly adopted pursuant to law. Examples include:

(1) Statement of witnesses and other material based on the information developed during the course of the investigation and all materials prepared in connection with related government litigation and adjudicative proceedings.

(2) Lists of firms or individuals suspended under procurement regulations when the lists are compiled in connection with investigations of procurement or other irregularities.

(3) The right of individual litigants to investigatory files currently available by law is not diminished.

(h) Those contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

§ 290.11 Identification and marking "for official use only".

Audit Reports of the Defense Contract Audit Agency shall be identified and marked "For official use only."

The provisions of this part shall become effective July 4, 1967.

Dated: June 29, 1967.

WILLIAM B. PETTY,
Director,
Defense Contract Audit Agency.

[F.R. Doc. 67-7671; Filed, July 3, 1967; 8:54 a.m.]

Chapter VII—Department of the Air Force

SUBCHAPTER A—ADMINISTRATION

PART 800—DEPARTMENT OF THE AIR FORCE SEAL

SUBCHAPTER C—PUBLIC RELATIONS

PART 822—UNIDENTIFIED FLYING OBJECTS (UFO)

Miscellaneous Amendments

Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

Part 800 is revised to read as follows:

Sec.
800.1 Purpose.
800.2 Authority.
800.3 Description and significance.
800.4 Use of the Seal.
800.5 Coat of Arms.
800.6 Supply and issue.
800.7 Responsibility.

AUTHORITY: The provisions of this Part 800 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, except as otherwise noted.

SOURCE: AFR 11-10, May 9, 1967.

§ 800.1 Purpose.

This part describes the Department of the Air Force seal, prescribes its use, and tells when the seal may be reproduced in whole or in part.

§ 800.2 Authority.

An official seal for the Department of the Air Force is prescribed by 10 U.S.C. 8011. The President of the United States approved the Air Force Seal by Executive Order No. 9902, November 3, 1947 (12 FR 7153).

§ 800.3 Description and significance.

The description of the Air Force seal and the significance of its various elements are as follows:

(a) The coat of arms, in the center portion of the seal, consists of two components:

(1) The Crest includes the eagle, cloud formation, and heraldic wreath. The American bald eagle symbolizes the United States and its airpower; the wreath beneath the eagle, composed of six alternate folds of metal and color, repeats the principal metal and color used in the shield, white (representing silver) and light blue. The cloud formation behind the eagle depicts the creation of a new firmament—the Department of the Air Force.

(2) The shield, immediately below the eagle, is divided horizontally into two parts by a nebuly line representing clouds. The top portion of the shield bears the heraldic thunderbolt, which portrays striking power through the medium of aerospace.

(b) The 13 encircling stars represent the original 13 colonies.

(c) Roman numerals beneath the shield indicate 1947, the year the Department of the Air Force was established.

(d) The band encircling the whole design bears the inscription "Department of the Air Force" and "United States of America."

(e) The official Air Force colors, ultramarine blue and golden yellow, are used in the Seal. Ultramarine blue is used for the circular background of the Seal, while the upper part of the Shield of the Coat of Arms is light blue—representing the sky. The lower part of the shield is white—representing the heraldic metal silver. The thunderbolt is golden yellow with flames in natural color. Alternate twists of white and light blue make up the wreath of the crest; the eagle and cloud are in their natural colors. The 13 stars are white, and the Roman numerals golden yellow. White, edged in golden yellow with black letters is used on the encircling band.

§ 800.4 Use of the Seal.

(a) *Official policy.* Use of the Seal or any part thereof is permitted only as authorized in this part, or as approved by the Department of the Air Force in specific instances. Falsely making, forging, counterfeiting, mutilating, or altering the Seal—or knowingly using or possessing with fraudulent intent any such altered Seal—is punishable by law (62 Stat. 714; 18 U.S.C. 506).

(b) *Authorized uses.* The Seal or any part thereof—in black and white, color, monochrome reproduction, pictorial, or sculptured relief—may be used as follows:

(1) Motion pictures and television: In Air Force-approved training films, public relations films, and official Air Force motion picture and television programs.

(2) Memorials and monuments: Those erected by the Department of the Air Force or for which both the purpose and design are specifically approved by Hq USAF.

(3) Display: With any official Air Force exhibit.

(4) Wall plaques: By museums, military societies, and governmental institutions, when specifically approved by Hq USAF.

NOTE: When use of the entire Seal or any part thereof is desired and the specific case is not covered in this part, request for approval will be forwarded through channels to USAFMPC (AFPMSAU), Randolph AFB Tex. 78148.

(c) *Unauthorized uses.* The Seal will not be used:

(1) On souvenir or novelty items of an expendable nature.

(2) On printed matter reproduced or procured by an Air Force activity.

(3) On toys or commercial gifts and premiums.

(4) As a letterhead design on stationery.

(5) On menus, matchbook covers, sugar envelopes, calendars, and similar items.

(6) To adorn civilian clothing.

(7) On membership cards of military or quasi-military clubs, societies, etc.

(8) On athletic clothing and equipment.

(9) On any article which may discredit the Seal or reflect unfavorably upon the Department of the Air Force.

(10) In any manner which implies Air Force indorsement of commercial products or services.

(11) On commercial or private printed matter.

§ 800.5 Coat of Arms.

Authorized uses of the Coat of Arms are:

(a) Coat of Arms, with or without encircling stars—in black and white, color, monochrome reproduction, pictorial or sculptured relief—may be used for ornamentations for nonofficial use on articles of jewelry, such at watches, rings, tie clasps, cuff links, bracelets, cigarette lighters, and similar articles where use of the Coat of Arms is in good taste and appropriate to the occasion.

NOTE: Use of the Coat of Arms in instances mentioned in this paragraph must be specifically approved by USAFMPC (AFPMSAU), Randolph AFB TX 78148. When USAFMPC approves use of the Coat of Arms for nonofficial purposes, it will do so only with the understanding that such usage in no way reflects Air Force endorsement of the product involved.

(b) Coat of Arms without encircling stars—in black and white, color, monochrome reproduction, pictorial, or sculptured relief—may be used for ornamentation by Air Force military personnel, including members of the Reserve components and Air Force retired personnel:

(1) For display on personal stationery or framing for display in the home as a painting or a wall plaque.

(2) For wear on civilian jackets or blazers of conservative color.

NOTE: Although Hq USAF approval is not required for use of the Coat of Arms without encircling stars in the cases mentioned in this paragraph, Air Force personnel are reminded that it is the obligation of each member to protect the dignity of the Air Force Coat of Arms by insuring that its display is in good taste and is appropriate to the occasion.

§ 800.6 Supply and issue.

(a) Official drawings of the Seal or any part thereof required for reproduction may be obtained from USAFMPC (AFPMSAU), Randolph AFB TX 78148. The request will include a complete justification.

(b) Wall Plaque, Air Force Seal (Federal Stock Number 9905-766-0426): These plaques are of lightweight plastic material, in full color, and approximately 15" in diameter.

(1) Those organizations listed in § 800.4(b)(4) must obtain USAFMPC (AFPMSAU) approval for use before submitting requisitions.

(2) The cost of these items is borne by the using activity.

§ 800.7 Responsibility.

(a) *Secretary of the Air Force.* The Administrative Assistant to the Secretary of the Air Force is the custodian of the Air Force Seal, and is solely responsible for approving use of its impression on official departmental documents and records.

(b) *Hq USAF.* The Assistant DCS' Personnel for Military Personnel is responsible for approving use of facsimiles of the Seal, or portions thereof, on insignia, flags, medals, and similar items. He is also responsible for authorizing such other uses of elements of the Seal as Air Force organizations, civilian groups, and industry may request.

Part 822 is revised to read as follows:

Sec.
822.1 Purpose.
822.2 Definitions.
822.3 Response to public interest.

AUTHORITY: The provisions of this Part 822 issued under section 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 80-17, September 19, 1966.

§ 822.1 Purpose.

This part establishes the Air Force contact with the public for the UFO program.

§ 822.2 Definitions.

(a) *Unidentified flying objects.* Any aerial phenomenon or object which is unknown or appears out of the ordinary to the observer.

(b) *Familiar or known objects/phenomena.* Aircraft, aircraft lights, astronomical bodies (meteors, planets, stars, comets, sun, moon), balloons, birds, fireworks, missiles, rockets, satellites, searchlights, weather phenomena (clouds, contrails, dust devils), and other natural phenomena.

§ 822.3 Response to public interest.

The Secretary of the Air Force, Office of Information (SAF-OI), maintains contact with the public and the news media on all aspects of the UFO program and related activities. Private individuals or organizations desiring Air Force interviews, briefings, lectures, or private discussions on UFOs will direct their requests to SAF-OI.

By Order of the Secretary of the Air Force.

WILLIAM H. LUMPKIN,
Brigadier General, U.S. Air Force, The Assistant Judge Advocate General, U.S. Air Force.

[F.R. Doc. 67-7544; Filed, July 3, 1967; 8:45 a.m.]

RECORDS AND INFORMATION

Miscellaneous Amendments

Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

SUBCHAPTER A—ADMINISTRATION

PART 806—DISCLOSURE OF UNCLASSIFIED RECORDS

A new Part 806 is added as follows:

Subpart A—General Information

Sec.
806.1 Purpose.
806.2 Types of requests covered by this part.

Subpart B—Policies Governing Disclosure of Records

Sec.
806.3 Basic policies on disclosure.
806.4 Specific policies on disclosure.
806.5 Material that may be withheld from disclosure.

Subpart C—Processing Requests To Inspect or Copy Records

806.6 Persons authorized to disclose or not to disclose records requested by members of the public.
806.7 Expedited handling required.

Subpart D—Submitting Requests for Documents

806.8 Identifying material requested.
806.9 Addressing requests.
806.10 Addressing requests for records of military personnel.

Subpart E—Appeals From Refusals To Make Records Available

806.11 Filing an appeal.
806.12 Processing an appeal.

AUTHORITY: The provisions of this Part 806 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012; 5 U.S.C. 552; DoD Directive 5400.7, June 1967, except as otherwise noted.

SOURCE: AFR 11-30, June 27, 1967.

Subpart A—General Information

§ 806.1 Purpose.

This part states basic policies and instructions governing the disclosure of unclassified records and tells members of the public what they must do to inspect or obtain copies of records. It applies Air Force-wide. In case of a conflict, this part takes precedence over any existing directive dealing in whole or in part with the disclosure of unclassified records.

§ 806.2 Types of requests covered by this part.

This part governs the disclosure of documentary material to the general public. Requests by members of Congress or congressional staffs for information and documentary material are processed under AFR 11-7 (Air Force Relations with Congress). Requests from the General Accounting Office are processed under AFR 11-8 (Air Force Relations with the General Accounting Office). Requests for documentary material for use in litigation are processed under Part 840, Subchapter D of this chapter as well as this part. Requests by news media or their representatives require compliance with AFR 190-12 (Release of Information to the Public) as well as this part. More detailed instructions for handling requests for specialized types of records or other documentary material may be contained in other directives and regulations, such as the Armed Services Procurement Regulation (Subchapter A, Chapter I of this title).

Subpart B—Policies Governing Disclosure of Records

§ 806.3 Basic policies on disclosure.

(a) It is the fundamental policy of the Departments of Defense and the Air Force to make available to the public the maximum amount of information and records concerning their operations and activities.

(b) This basic policy is subject to the necessary exception, recognized in 5 U.S.C. 552(b) and discussed in § 806.5, that in certain cases records and other documentary material need not be made public. However, even where nondisclosure is authorized by 5 U.S.C. 552(b) and § 806.5 requested records and other documentary material should be disclosed if no significant purpose would be served by withholding them. The determination of whether a significant purpose is served by withholding information under the provisions of § 806.5 is within the sole discretion of the Air Force.

(c) In no event will a determination that a record should be withheld be influenced by the possibility that its release might suggest administrative error or inefficiency or might embarrass the Air Force or an official of the Air Force.

§ 806.4 Specific policies on disclosure.

(a) Any identifiable documentary material in the possession of the Air Force which qualifies as a "record" as discussed in paragraph (b) of this section and which is not exempted under § 806.5 should be made available on the request of any person.

(b) In determining whether documentary material qualifies as a "record", 44 U.S.C. 366, which, for records disposal purposes, defines the word "records", should be used as a guide. This statute provides in part that:

> When used in sections 366-376 and 378-380 of this title, the word "records" includes all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any agency of the U.S. Government in pursuance of Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data contained therein.

(1) The term "records" does not include objects or articles such as structures, furniture, paintings, sculpture, three-dimensional models, vehicles, equipment, etc., whatever their historical value as "evidence."

(2) Records are not limited to permanent or historical documents; they include contemporaneous ones as well.

(c) For a record to be considered "identifiable" it must exist at the time of the request. There is no obligation to create a record to satisfy a request for information. When the information requested exists in the form of several records at several locations, the requester should be referred to those sources if gathering the information would be burdensome.

(d) Requesters must be reasonably specific in identifying records they would like made available. The Air Force is not required to permit a requester to browse through entire files or large series of records to find a record he may then "identify." However, the Air Force will make a reasonable effort to locate any records that are requested. More than one record may be requested, but each must be reasonably well identified.

(e) Requests for identifiable records may be denied only when an official

designated in § 806.6(b) determines that such denial is authorized by this part.

(f) Pursuant to 5 U.S.C. 552(a)(3), requesters will be charged the reasonable costs to the Air Force of searching, copying, or certifying records. Charges will be determined according to Part 813, subchapter B of this chapter. Except for any copies that may be provided, no charge will be made to the public for the use of established reading rooms or reference libraries.

§ 806.5 Material that may be withheld from disclosure.

Records that fall within the categories listed in paragraphs (a) through (h) of this section are not required to be made available to members of the public. Nevertheless, a record that falls under one of these exempted categories should be made available to a requester if, in the judgment of the appropriate official designated under § 806.6, no significant purpose would be served by withholding it from him under the applicable exemption.

(a) Those containing information requiring protection in the interest of National defense or foreign policy according to the criteria established by Part 850, subchapter E of this chapter or by Executive order.

(b) Those containing rules, regulations, orders, manuals, directives and instructions relating to the internal personnel rules or internal practices of the Air Force. Examples include:

(1) Operating rules, guidelines, and manuals for Air Force investigators, inspectors, auditors or examiners that cannot be disclosed to the public without substantial prejudice to the effective performance of a significant Air Force function. Some of these materials might reveal:

(i) Negotiation and bargaining techniques.

(ii) Bargaining limitations and positions.

(iii) Inspection schedules and methods.

(iv) Audit schedules and methods.

(2) Personnel and other administrative matters such as examination questions and answers used in training courses or in determining the qualification of candidates for employment, entrance to duty, advancement, or promotion.

(c) Those containing information authorized or required by statute to be withheld from the public. The authorization or requirement may be found in the statute itself or in Executive orders or regulations authorized by, or in implementation of, the statute. Examples include:

(1) Documentary material referred to in 18 U.S.C. 1905: trade and financial information provided in confidence by businesses (see also paragraph (e) of this section).

(2) 35 U.S.C. 181–88: records containing information relating to inventions that are the subject of patent applications on which patent secrecy orders have been issued.

(d) Those containing information which the Government has received from anyone, including an individual, a foreign nation, an international organization, a State or local government, a corporation, or any other organization, with the understanding, express or implied, that the information will be retained on a privileged or confidential basis; or those containing similar commercial or financial information that the component develops internally, if the information is, in fact, the kind normally considered privileged or confidential. The following are examples of the types of information that may be included within this exemption:

(1) Commercial information such as research data, formulas, designs, drawings, and other technical data and reports which are significant as items of valuable property acquired in connection with research, grants, or contracts, and if owned by private parties would likely be held in confidence.

(2) Commercial and financial information received in confidence in connection with loans, bids, or proposals, as well as other information received in confidence or privileged, such as trade secrets, inventions and discoveries, or other proprietary data.

(3) Statistical data and commercial or financial information concerning such matters as contract performance, income, profits, losses, and expenditures.

(4) That information customarily considered privileged or confidential under the rules of evidence in the Federal courts, such as information coming within the doctor-patient, lawyer-client, and priest-penitent privileges.

(5) Personal statements given in the course of inspections, audits, or investigations.

(6) Any other informatoin that customarily would not be released to the public by the person from whom it was obtained.

(e) Except as provided in subparagraph (3) of this paragraph, those containing interagency or intraagency communications.

(1) One major purpose of this exemption is to ensure that frank internal communication and a free exchange of ideas among agency personnel will not be inhibited. In this sense it is primarily concerned with opinions, suggestions, recommendations, evaluations, analyses, and discussions, as opposed to records of final actions taken.

(2) The following are examples of the types of material that may normally be withheld under this exemption:

(i) Staff papers that discuss a problem or contain advice, recommendations, analyses, suggestions, or evaluations.

(ii) Information received or generated by a component preliminary to a decision or action, where premature disclosure would harm the authorized appropriate purpose for which the records are being used.

(iii) Draft versions of documents.

(iv) Advice, suggestions, or reports prepared on behalf of the Air Force by boards, committees, panels, conferences, councils, commissions, task forces, or similar groups that are formed by the Air Force to obtain advice and recommendations.

(v) Conversations or communications between Air Force personnel, or between such personnel and representatives of other agencies of the Executive Branch, if the conversations or communications are merely advisory or preliminary in nature and do not represent any final official action.

(vi) Advance information on such matters as proposed plans to procure, lease, or otherwise acquire and dispose of materials, real estate, facilities, or functions when such information would provide undue or unfair competitive advantage to private personal interests.

(vii) Inspector general reports, auditor general reports, or other reports of inspections, investigations, or surveys that pertain to safety or the internal management, administration, or operations of the Air Force.

(viii) Records that are exchanged among Air Force personnel or within and among Government agencies preparing for legal proceedings or anticipated proceedings before any Federal, State, or military court or regulatory body.

(ix) Records of Air Force evaluations of contractors and their products or services, that, in effect, constitute advice or recommendations and could be used improperly to the advantage or detriment of private interests.

(x) Reports of proceedings to select personnel for assignment, school, promotion, retention, and similar purposes.

(3) Any such intra- or inter-agency records or other documentary material that would routinely be made available through the discovery process in the course of litigation with the agency may not be withheld. However, if the material would only be made available through the discovery process by special order of the court, based on the particular needs of a litigant balanced against the interests of the agency in maintaining its confidentiality, then the record or document should not be made available to a member of the public.

(f) Those containing information from personnel and medical files.

(1) When the sole and exclusive basis for withholding such information is protection of the personal privacy of an individual, the information should not be withheld from him or from his designated legal representative.

(2) An individual's personnel or medical files may be withheld from him or from his designated legal representative for reasons other than the protection of his personal privacy when Civil Service Commission regulations or other regulations so authorize.

(g) Those containing information from files similar to medical and personnel files where there would be a clearly unwarranted invasion of the personal privacy of an individual if the information were disclosed.

(1) Examples of similar files are those:

(i) Compiled to evaluate or adjudicate the suitability of candidates for civilian employment and the eligibility of individuals, whether civilian, military, or industrial, for security clearances.

(ii) Containing reports records, and other material pertaining to personnel matters in which administrative action, including disciplinary action, may be taken or has been taken.

(iii) Containing information about personal or financial affairs that the individual would not normally disclose publicly. Included are:

(a) DD Form 1555 "Confidential Statement of Employment and Financial Interests—DoD Personnel."

(b) DD Form 1555–1 "Confidential Statement of Employment and Financial Interests (For Use by Special DoD Employees)."

(2) In determining whether the release of information would result in a clearly unwarranted invasion of privacy, consideration should be given, in cases such as those involving alleged misconduct, to:

(i) The amount of time that has passed since the alleged misconduct,

(ii) The degree to which the individual's privacy has already been invaded, and

(iii) The relationship of the alleged misconduct to an employee's official duties.

The release of information concerning alleged misconduct that is closely related to official duties, has occurred recently, and has already been exposed to the public is less likely to constitute a clearly unwarranted invasion of personal privacy.

(3) When the sole and exclusive basis for withholding information is protection of an individual's personal privacy, the information should not be withheld from him or from his designated legal representative.

(4) Information from such files may be withheld from an individual or from his legal representative for reasons other than protection of his personal privacy when authorized by Civil Service Commission regulations or other regulations.

(h) Those containing information from investigatory files compiled to enforce civil, criminal, or military law, including Executive orders or regulations validly adopted pursuant to law. Included within this exemption are:

(1) Reports, statements of witnesses, and other material based on the information developed during the course of an investigation and all materials prepared in connection with related Government litigation and adjudicative proceedings. OSI reports, for example, concerning suspected violations of the Uniform Code of Military Justice and other laws come within this provision.

(2) Investigatory files compiled to enforce Executive orders or the regulations and directives of a component of the Department of Defense.

(3) Lists or identifications of firms or individuals suspended under procurement regulations when the lists are compiled in connection with investigations of irregularities.

Subpart C—Processing Requests To Inspect or Copy Records

§ 806.6 Persons authorized to disclose or not to disclose records requested by members of the public.

(a) Except for those categories of records listed in paragraph (c) of this section, the authority to make available records or other documentary material to members of the public is vested in commanders and their representatives at major command or comparable level or higher authority. This authority may be delegated, but not below the level of installation, wing, or comparable commanders, or chiefs of offices at directorate or higher level within Hq USAF. Anyone having the authority to disclose records or other documentary material is called a disclosure authority.

(b) When appropriate under this part, a disclosure authority at the major command or comparable level or directorate or higher authority within Hq USAF is authorized to refuse to make available records or other documentary material to members of the public. This refusal authority may not be delegated below this level.

(c) The activities and persons listed in this section may either disclose or refuse to disclose the types of records cited when appropriate under this part.

Type of record	*Disclosure authority*
For use in litigation.	The Judge Advocate General, or other authority listed in Part 840, Subchapter D of this chapter.
Medical Records...	The director of base medical services or a designated medical officer, subject to the requirements of AFM 168–4.

§ 806.7 Expedited handling required.

Activities at all echelons must expedite their handling of any requests from members of the public to inspect or copy records. They should make every effort to avoid creating procedural obstacles when internal Air Force organizational problems arise, particularly, where reorganization or transfer of functions contributes to an improperly directed request. Air Force personnel shall make all reasonable efforts to assist private persons in directing requests for records and other documentary material to the appropriate authorities.

Subpart D—Submitting Requests for Documents

§ 806.8 Identifying material requested.

Requests to inspect or obtain copies of records or other documentary material should normally be made in writing. They should contain at least the following information.

(a) As complete an identification as possible of the desired material, including (if known) its title or description, its date, and the issuing authority.

(b) With respect to matters of official record concerning civilian or military personnel, the first name, middle name or initial, surname, date of birth, and social security number of the individual concerned, if known.

(c) A statement as to whether the requester wishes to inspect the record or obtain copies of it.

§ 806.9 Addressing requests.

Requesters should address their requests as follows:

(a) For matters of official record for use in litigation: Hq USAF (AFJALF), Washington, D.C. 20330, or the activity where the record is located, if known.

(b) For matters of record concerning civilian employees currently employed by the Air Force: Civilian personnel officer of base or activity where person is employed.

(c) For matters of record concerning civilian employees no longer employed in the Federal service: National Personnel Records Center, GSA (Civilian Personnel Records), 9700 Page Boulevard, St. Louis, Mo. 63132.

(d) For matters of record concerning members and former members of the Air Force, Air Force Reserve or Air National Guard: See § 806.10.

(e) For other records, where the location of the record is known: Commander, activity where record is located.

(f) For other records, where the location of the record is not known: Hq USAF (AFDASBA), Washington, D.C. 20330.

§ 806.10 Addressing requests for records of military personnel.

Records of members and former members of the Air Force are maintained in different locations depending on the member's current status. Accordingly, requests for such records should be addressed as follows:

If individual is presently—	And he is/was—	Inquiry should be addressed to—
On extended active duty	Commissioned officer or warrant officer.	Current organization of assignment, if known; otherwise: USAFMPC (AFPMDRO), Randolph AFB TX 78148.
	Airman	Current organization of assignment, if known; otherwise: USAFMPC (AFPMDRA), Randolph AFB TX 78148.
A member of the Air Force Reserve not on extended active duty.	Commissioned officer, warrant officer, or airman.	ARPC, 3800 York St., Denver CO 80205.
A member of the Air National Guard not on extended active duty.	Commissioned officer or warrant officer.	Chief, National Guard Bureau (NGAF), Washington, D.C. 20310.
	Airman	Air Adjutant General of the appropriate State, District of Columbia, or Commonwealth of Puerto Rico.
Retired for temporary physical disability.	Commissioned officer or warrant officer.	USAFMPC (AFPMDRO), Randolph AFB TX 78148.
	Airman	USAFMPC (AFPMDRA), Randolph AFB TX 78148.
Retired (with pay)	General officer	USAFMPC (AFPMDRO), Randolph AFB TX 78148.
	Other than general officer	NPRC (MPR) GSA, 9700 Page Blvd., St. Louis MO 63132.
Former members who no longer have an Air Force affiliation.	Commissioned officer, warrant officer, or airman.	

NOTE: If member's status is unknown, address request to USAFMPC (AFPMDRF), Randolph AFB TX 78148.

Subpart E—Appeals From Refusals To Make Records Available

§ 806.11 Filing an appeal.

(a) A person whose request to copy or inspect a record or other documentary material is denied may appeal this decision to the Secretary of the Air Force within 45 days of the denial. A requester will not be considered to have exhausted his administrative remedies within the Department of the Air Force unless such an appeal has been filed and a Secretarial decision has been made thereon. This decision will be the final action of the Air Force on the request.

(b) An appeal is filed when the requester sends a copy of the letter of denial to the Secretary of the Air Force (SAFOI), Washington, D.C. 20330, together with a request that the denial be reconsidered.

(c) Any statement of reasons or arguments must be submitted in writing when the appeal is filed. A personal appearance will be allowed only at the discretion of the Secretary.

§ 806.12 Processing an appeal.

(a) The appeal will be processed through The Judge Advocate General to the Administrative Assistant to the Secretary of the Air Force (SAFAA), who will announce the Secretary's decision. A decision on the appeal will not be unnecessarily delayed. If the request to copy or inspect a document is denied on appeal, the decision will be explained to the requester in writing.

(b) A copy of this explanation will be forwarded to the General Counsel, Department of Defense, in those instances in which the requester seeks reconsideration by the Secretary, or, after decision on the appeal, initiates legal action to compel release of the record.

SUBCHAPTER B—SALES AND SERVICES

PART 813a—PROVIDING AIR FORCE REFERENCE ROOM SERVICE TO THE PUBLIC

A new Part 813a is added as follows:

Sec.
813a.1 Policy.
813a.2 Fees.

AUTHORITY: The provisions of this Part 813a issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, 5 U.S.C. 552; DoD Directive 5400.7, June 1967.

SOURCE: AFDASB Memorandum to AFJAGA, June 28, 1967, subject: Providing Air Force Reference Room Service to the Public; AFL 11-7, June 1967.

§ 813a.1 Policy.

The Air Force will make available to the general public its Publication Reference Libraries at Hq USAF, major commands and Air Force bases, effective July 4, 1967. The material designated in 5 U.S.C. 552(a)(2) will be made available to members of the public for inspection and copying at these locations. Published decisions of the Boards of Review can be found in the "Court-Martial Reports" and are available at Air Force bases in the office of the Staff Judge Advocate. Unpublished Board of Review decisions will be made available for public inspection and copying at Bolling Air Force Base, Washington, D.C. 20332, Building 626, Room 203.

§ 813a.2 Fees.

No fee will be charged for the normal use of these facilities. However, in accordance with Parts 812 and 813 of this subchapter, fees will be charged for copies when appropriate.

SUBCHAPTER C—PUBLIC RELATIONS

PART 827—RELEASE OF MATTERS OF OFFICIAL RECORD

Part 827 is hereby revoked. The provisions of this part appear at Part 806, Subchapter A of this chapter.

By order of the Secretary of the Air Force.

WILLIAM H. LUMPKIN,
Brigadier General, U.S. Air Force, The Assistant Judge Advocate General, U.S. Air Force.

[F.R. Doc. 67-7538; Filed, July 3, 1967; 8:45 a.m.]

RESERVE OFFICER TRAINING AND INSTRUCTION

Miscellaneous Amendments

Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

SUBCHAPTER F—AIRCRAFT

PART 857—PROVIDING WEATHER SERVICE TO NONMILITARY AGENCIES OR INDIVIDUALS

Part 857 of Chapter VII of Title 32 of the Code of Federal Regulations is revoked. This subject matter now appears in Part 819, Subchapter B of this chapter.

SUBCHAPTER H—AIR FORCE RESERVE OFFICERS' TRAINING CORPS

PART 870—AIR FORCE RESERVE OFFICERS TRAINING CORPS (AFROTC)

1. Section 870.2 is amended by adding the following notes to paragraphs (m) and (w); § 870.8 is amended by revising the introductory paragraph and the table in paragraph (b); § 870.9 is amended by adding an introductory paragraph; and § 870.10 is amended by revising paragraph (a)(1), adding a note to paragraph (a)(2), and revising paragraphs (b) and (c) to read as follows:

§ 870.2 Definitions.

* * * * *

(m) *Financial assistance program (FAP).* * * *

NOTE: A cadet who is on academic probation or not in good standing at the institution will not be accepted as a member of the Financial Assistance Program.

* * * * *

(w) *Professional Officer Course (POC).* * * *

NOTE: A cadet who is on academic probation or not in good standing at the institution will not be admitted to membership in the POC.

* * * * *

§ 870.8 Policy on eligibility for membership in the General Military Course and the Professional Officer Course.

As many qualified students may be members of the GMC and POC, in each category, as are necessary to fill but not exceed production quotas set by Hq U.S.

Air Force (and suballotted by the Commandant, AFROTC) for the graduating class in which they will be appointed. Each cadet or student must voluntarily apply for the POC and compete with all applicants for selection. The Commandant, AFROTC, establishes selection and retention criteria for the AFROTC program, awards financial assistance grants, and prescribes selection criteria for attendance at the 6-week field training.

* * * * *

(b) * * *

Eligibility requirements for membership in the program elements of AFROTC

LINE	If student desires to participate in—	RULE 1	RULE 2	RULE 3	RULE 4
A	The GMC (AS 100 and AS 200)	Yes			
B	6-week field training (AS 250)		Yes		
C	The POC (AS 300 and AS 400) [1 2]			Yes	
D	The Financial Assistance Program [1 3]				Yes
E	Then he must be of good, moral character (see § 870.10) and medically qualified under AFM 160-1 (Medical examinations and medical standards).	X	X	X	X
F	Execute the oath of allegiance	X	X	X	X
G	Be a U.S. citizen	X [4]	X	X	X
H	Enlist in the Air Force Reserve [5]			X	X
I	Have attained age of 14	X			
J	Have attained age of 17		X	X [6]	X [7]
K	Sign deferment agreement (AF Form 1041) (Part 870 of this subchapter)	X [8]		X	X
L	Execute Armed Forces Security Questionnaire (DD Form 98)		X	X	X
M	Execute AFROTC category agreement (AF Form 1056), with parental consent if under 21 years of age.		X	X	X
N	Execute statement of understanding (AF Form 29) (AFR 45-8 (Enlistment in AFROTC Cadets)) with parental consent if under 18 years of age.			X	X
O	Be enrolled in the 4-year program	X			X [9]
P	Successfully complete GMC or receive credit under § 870.20, or successfully complete the 6-week field training (for 2-year program).			X	
Q	Successfully complete any general survey or screening test prescribed for his category.	X [9]	X [9]	X	X

[1] A student who has been a former member of a service academy (including the Coast Guard) is ineligibl unless USAFMPC (AFPMRDC) has granted a waiver, but he may be a "pursuing" student under § 870.10(b)(2) while his application is being referred through channels for review and final decision.

[2] Graduate students may be selected for the POC (2-year program) provided they have 2 years remaining on campus after completing the 6-week field training. They are selected in competition with under-graduate students and within prescribed production requirements.

[3] Only cadets in the 4-year program are eligible for membership in the FAP (requirements cannot be waived). Cadets receiving grants at the AS 300 or AS 400 level must have successfully completed the GMC; or received credit under § 870.20. Grant recipients at the AS 200 level must have completed AS 100, or received credit under § 870.20.

[4] Foreign students who have filed naturalization Form N315, "Declaration of Intent," may be accepted as members of the GMC pending finalization of their citizenship status.

[5] If already a member of any Reserve component of any military department, including the AF Reserve, he must be discharged and reenlist in the AF Reserve or transfer to the AF Reserve.

[6] Must be able to complete all requirements for appointment by age 26½ if he is category I–P or I–N and by age 30, if category II or III.

[7] Must be able to complete all aerospace studies courses, prescribed field training, and degree requirements and not have reached his 25th birthday by June 30 of the calendar year in which he is eligible for appointment. (Requirements cannot be waived.)

[8] A GMC cadet may be given an AFROTC deferment after successful completion of one academic semester, trimester, quarter, or academic term—including an Aerospace Studies course—at the institution.

[9] With the concurrence of the institution concerned, must complete mental examinations prescribed by AFROTC.

§ 870.9 Who may not be AFROTC members.

The following may not be granted a selective service deferment or be considered for membership in either the FAP or POC:

* * * * *

§ 870.10 Character requirements.

* * * * *

(a) *Military or civil offenses.* * * *

(1) The Commander, AU, has authority to waive all offenses; the Commandant, AFROTC, to grant or deny waivers of minor violations that are not prejudicial to the applicant's performance of duty as an Air Force officer and do not indicate unacceptable traits of character. The Commandant, AFROTC may delegate to the PAS authority to waive nonrecurrent minor violations.

(2) * * *

NOTE: For purpose of membership in the GMC, admission to the institution is indicative of good character. The PAS must make it understandably clear to GMC cadets that acceptance for GMC training is in no way indicative of a commitment for a selective service deferment or later admission into the POC or FAP. Additionally, the PAS must counsel the GMC cadets that before they may be admitted to membership in the POC or Financial Assistance Program, a request for waiver of involvement with civil or military authorities must be approved in accordance with this part.

(b) *Elimination from service academy or other officer training program (see AFR 53-5 (Record of Disenrollment From Officer Candidate-Type Training—DD Form 785)).* (1) A student eliminated from an officer candidate-type training program because of military inaptitude, indifference to training, major honor violation, undesirable traits of character, or for disciplinary reasons may not be accepted for membership in the POC, FAP, or be certified for selective service deferment without a waiver from USAFMPC (AFPMRDC).

(2) A student eliminated from an officer candidate-type training program because of academic deficiency may be accepted as a pursuing student in the POC while his application is being forwarded through channels for review and final decision. If the student is a former member of a service academy (including Coast Guard) waiver must be obtained from USAFMPC (AFPMRDC). Air University has authority to approve waiver requests from students eliminated from other officer candidate-type training programs. (See Subpart C of this part for procedures in enrolling pursuing students.)

(c) *Ineligible to reenlist.* A former serviceman who, for any reason, is not eligible to reenlist will not be accepted for membership in the POC or FAP. (See Part 888, Subchapter I of this Chapter.)

(Sec. 8012, 70A Stat. 488; 78 Stat. 1064; 10 U.S.C. 8012, 2101 et seq., and 50 U.S.C. App. 456(a)) [AFR 45-48, Ch. 1, May 22, 1967]

PART 873—AIR FORCE ROTC FLIGHT INSTRUCTION PROGRAM (FIP)

2. A new Part 873 is added as follows:

Sec.
873.1 Purpose.
873.2 Objectives.
873.3 Program curriculum.
873.4 Operational supervision of the program.
873.5 Participation.
873.6 Waiver and elimination authority.
873.7 Disability and death benefits under Federal Employees' Compensation Act.

AUTHORITY: The provisions of this Part 873 issued under section 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 45-58, May 13, 1966.

§ 873.1 Purpose.

This part describes the Air Force ROTC Flight Instruction Program (FIP), states its objectives, and assigns responsibilities to carry out the program.

§ 873.2 Objectives.

The program objectives are to:

(a) Motivate qualified Air Force ROTC cadets to a career in the Air Force.

(b) Encourage qualified basic course Air Force ROTC cadets to enroll in the advanced course as pilot training applicants.

(c) Provide a screening device which will identify pilot training applicants who lack the basic aptitudes for Air Force pilot training.

§ 873.3 Program curriculum.

Participating schools offer FIP as an integral part of their Air Force ROTC program. The Commandant, Air Force ROTC, establishes the curriculum to:

(a) Encompass a course of flight instruction in light aircraft having 65–200 horsepower and a separate and independent three-control system, i.e., rudder, elevator, and aileron controls.

(b) Meet minimum Federal Aviation Agency (FAA) flight and ground school requirements for a FAA Private Pilot's License, if possible.

§ 873.4 Operational supervision of the program.

By agreement between the Air Force and the FAA, the FAA performs the operational administration of the program, which includes providing:

(a) As required by the Air Force, a list of eligible flight schools in each area to be served. These schools will keep in effect a flying school certificate with a private pilot rating.

(b) Pertinent instructions to flight schools on flight curriculum to use and standards to maintain.

(c) Operational inspection of flight schools, instructors, and aircraft at least

every 60 days to insure adherence to all prescribed standards.

(d) Periodic and final progress flight checks according to the following established objective standards:

(1) The flight instructor performs the periodic progress flight checks as required and according to objective standards; however, FAA agents perform at least 10 percent of such checks to insure the quality of instruction and submit reports of their checks to the appropriate Professor of Air Science (PAS).

(2) FAA agents perform all final flight checks.

(e) Necessary advice to and maintaining continuous liaison with the appropriate Hq USAF staff office.

§ 873.5 Participation.

(a) Selected advanced course Air Force ROTC cadets in category I–P who have signed a Career Reserve Statement as applicants for flying training must participate when their schools conduct the program. Cadets successfully completing the program continue in category I–P.

(b) Cadets enrolled in any of the other advanced course categories are not eligible to participate.

(c) Cadets who have completed a similar course of instruction and who possess a Private Pilot's Certificate or higher FAA rating will not participate in the FIP.

§ 873.6 Waiver and elimination authority.

The Commandant, Air Force ROTC, grants waivers of participation and makes final determination concerning elimination of cadets. He may redelegate his responsibility to the PAS.

(a) *Waiver of participation.* Normally, the Air Force will not grant waivers of FIP participation requirements for cadets listed in § 873.5(a). However, waivers may be granted when participation would place an extreme or unusual hardship on cadets.

(b) *Elimination.* Part 870 of this subchapter explains how to recategorize a cadet eliminated from the FIP but retained in the Air Force ROTC program. However, a cadet eliminated in accordance with subparagraph (2) of this paragraph normally will be disenrolled from the Air Force ROTC program. A cadet may be eliminated for any of the following reasons:

(1) General pilot inaptitude, and failure to:

(i) Make satisfactory progress in flight instruction.

(ii) Pass periodic progress or final flight checks.

(2) Willful violation of flying regulations or other acts which evidence indifference to or improper attitude toward training.

(3) At his own request.

(4) Medical disqualification for category I–P after enrolling in FIP.

§ 873.7 Disability and death benefits under Federal Employees' Compensation Act.

Regulations governing administration of the Federal Employees' Compensation Act, September 7, 1916, as amended, for civil officers of the United States and others, provide disability and death benefits to program participants, computed at the monthly wage of $150. If a member of the Air Force ROTC is injured or dies from an injury incurred in line-of-duty while engaged in flight instruction, he or his survivors are entitled to the same benefits provided for a civil employee of the United States, including certain burial benefits.

By Order of the Secretary of the Air Force.

WILLIAM H. LUMPKIN,
Brigadier General, U.S. Air Force, The Assistant Judge Advocate General, U.S. Air Force.

[F.R. Doc. 67-7545; Filed, July 3, 1967; 8:45 a.m.]

Chapter XVI—Selective Service System

MISCELLANEOUS AMENDMENTS TO CHAPTER

CROSS REFERENCE: For miscellaneous amendments to the Selective Service Regulations, see Title 3, Executive Order 11360, Part II of this issue.

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 200—ORGANIZATION, FUNCTIONS, AND PROCEDURES

Part 200 of Title 36, Code of Federal Regulations, is added to read as follows:

Subpart A—Organization

Sec.
200.1 Central organization.
200.2 Field organization.

Subpart B—Functions and Procedures

200.3 Forest Service functions.
200.4 General procedures.
200.5 Information available.
200.6 Exceptions.
200.7 Offices where information is available.
200.8 Where information may be copied.
200.9 Rules governing inspection and copying.
200.10 Administrative appeals.

AUTHORITY: The provisions of this Part 200 issued under sec. 552, 81 Stat. 54; 5 U.S.C. 552.

Subpart A—Organization

§ 200.1 Central Organization.

(a) *Central Office.* The central office of the Forest Service is at Washington, D.C., in the South Agriculture Building. It consists of the Office of the Chief and Associate Chief, and a Deputy Chief for each of the following five activities: Programs and Legislation, Administration, Research, National Forest System, and State and Private Forestry. All communications should be addressed to the Forest Service, Department of Agriculture, 14th Street and Independence Avenue, Washington, D.C. 20250.

(b) *Chief of the Forest Service.* The Chief of the Forest Service, under the direction of the Secretary of Agriculture, formulates, directs, and supervises the execution of Forest Service policies, programs, and activities.

(c) *Major Activities.* The major activities of the Forest Service are as follows:

(1) *Programs and Legislation.* Includes general direction and supervision of program evaluation and special projects, and legislative reporting and liaison.

(2) *Administration.* Includes general direction and supervision of administrative management, budget and finance, administrative services, personnel management, information and education, Job Corps and other antipoverty program coordination and administration, integrating inspection, civil defense and other emergency activities, coordination of civil rights activities, and General Accounting Office and Office of the Inspector General audits.

(3) *Research.* Includes general direction and supervision of research in timber; watershed, range, wildlife habitat, and recreation; forest protection; forest products and engineering; forest survey, forest products marketing, and forest economics; and Forest Service participation in International Forestry activities.

(4) *National Forest System.* Includes general direction and supervision of timber management, range management, wildlife management, watershed management, minerals management, recreation, land use, land adjustments, land classification, engineering, and fire control.

(5) *State and Private Forestry.* Includes general direction and supervision of cooperative forest management, flood prevention and river basin programs, cooperative forest fire control, forest pest control, cooperative tree planting, naval stores program, and overall direction of Forest Service participation in rural areas development.

§ 200.2 Field organization.

(a) The field organization of the Forest Service consists of nine Regions, eight Forest and Range Experiment Stations, the Institute of Tropical Forestry, the Forest Products Laboratory, and two State and Private Forestry Area Offices.

(b) The field organization for the National Forest System is divided into nine Regions. A Regional Forester is responsible to the Chief for the activities assigned to his Region. Each Region is divided into National Forests, National Grasslands, and other areas administered by the Forest Service, with a Forest Supervisor responsible to the Regional Forester for the activities assigned to his unit. The National Forests and National

Grasslands are divided into Ranger Districts with a District Ranger responsible to the Forest Supervisor for the activities assigned to his Ranger District.

(c) The field organization of the Forest Service for research activities comprises eight Forest and Range Experiment Stations, the Institute of Tropical Forestry, and the Forest Products Laboratory. A Director is responsible to the Chief for all research activities assigned to his unit.

(d) The field organization of the State and Private Forestry activity consists of two Area Offices. The Area Director is responsible to the Chief for the activities assigned to his Area. In addition, State and Private Forestry activities are assigned to the Regional Foresters in Regions 1, 2, 3, 4, 5, 6, and 10.

(e) The addresses of Regional Foresters, Research Directors, Area Directors, and Forest Supervisors are given below. Location of specific Ranger District headquarters may be obtained from Forest Supervisors.

NATIONAL FORESTS BY REGIONS

REGION 1, NORTHERN REGION

(Montana, northeastern Washington, northern Idaho, North Dakota, and northwestern South Dakota) Regional Forester, Federal Building, Missoula, Mont. 59801.

State in which forest is located	National Forest	Headquarters of Supervisor
Idaho	Clearwater	Orofino.
	Coeur d'Alene	Coeur d'Alene.
	Kaniksu	Sandpoint.
	Nezperce	Grangeville.
	St. Joe	St. Maries.
Montana	Beaverhead	Dillon.
	Bitterroot	Hamilton.
	Custer	Billings.
	Deerlodge	Butte.
	Flathead	Kalispell.
	Gallatin	Bozeman.
	Helena	Helena.
	Kootenai	Libby.
	Lewis and Clark.	Great Falls.
	Lolo	Missoula.
Washington	Colville	Colville.

REGION 2, ROCKY MOUNTAIN REGION

(Colorado, Kansas, Nebraska, South Dakota, and Wyoming), Regional Forester, Denver Federal Center, Building 85, Denver, Colo. 80225.

Colorado	Arapaho	Golden.
	Grand Mesa-Uncompahgre.	Delta.
	Gunnison	Gunnison.
	Pike	Colorado Springs.
	Rio Grande	Monte Vista.
	Roosevelt	Port Collins.
	Routt	Steamboat Springs.
	San Isabel	Pueblo.
	San Juan	Durango.
	White River	Glenwood Springs.
South Dakota	Black Hills	Custer.
Nebraska	Central Plains Forestry Office.	Chadron.
Wyoming	Bighorn	Sheridan.
	Medicine Bow	Laramie.
	Shoshone	Cody.

REGION 3, SOUTHWESTERN REGION

(Arizona and New Mexico) Regional Forester, Federal Building, 517 Golden Avenue SW., Albuquerque, N. Mex. 87101.

State in which forest is located	National forests and grasslands	Headquarters of Supervisor
Arizona	Apache	Springerville.
	Coconino	Flagstaff.
	Coronado	Tucson.
	Kaibab	Williams.
	Prescott	Prescott.
	Sitgreaves	Holbrook.
	Tonto	Phoenix.
New Mexico	Carson	Taos.
	Cibola	Albuquerque.
	Gila	Silver City.
	Lincoln	Alamogordo.
	Santa Fe	Santa Fe.

REGION 4, INTERMOUNTAIN REGION

(Utah, southern Idaho, western Wyoming, and Nevada) Regional Forester, Federal Office Building, 324 25th Street, Ogden, Utah 84401.

Idaho	Boise	Boise.
	Caribou	Pocatello.
	Challis	Challis.
	Fayette	McCall.
	Salmon	Salmon.
	Sawtooth	Twin Falls.
	Targhee	St. Anthony.
Nevada	Humboldt	Elko.
	Toiyabe	Reno.
Utah	Ashley	Vernal.
	Cache	Logan.
	Dixie	Cedar City.
	Fishlake	Richfield.
	Manti-LaSal	Price.
	Unita	Provo.
	Wasatch	Salt Lake City.
Wyoming	Teton	Jackson.
	Bridger	Kemmerer.

REGION 5, CALIFORNIA REGION

Regional Forester, 630 Sansome Street, San Francisco, Calif. 94111.

California	Angeles	Pasadena.
	Cleveland	San Diego.
	Eldorado	Placerville.
	Inyo	Bishop.
	Klamath	Yreka.
	Lassen	Susanville.
	Los Padres	Santa Barbara.
	Mendocino	Willows.
	Modoc	Alturas.
	Plumas	Quincy.
	San Bernardino	San Bernardino.
	Sequoia	Porterville.
	Shasta-Trinity	Redding.
	Sierra	Fresno.
	Six Rivers	Eureka.
	Tahoe	Nevada City.

REGION 6, PACIFIC NORTHWEST REGION

(Washington and Oregon) Regional Forester, 319 SW Pine Street, Portland, Oreg. 97208.

Oregon	Deschutes	Bend.
	Fremont	Lakeview.
	Malheur	John Day.
	Mount Hood	Portland.
	Ochoco	Prineville.
	Rogue River	Medford.
	Siskiyou	Grants Pass.
	Umatilla	Pendleton.
	Umpqua	Roseburg.
	Wallowa-Whitman.	Baker.
	Willamette	Eugene.
	Winema	Klamath Falls.
Washington	Gifford Pinchot	Vancouver.
	Mount Baker	Bellingham.
	Okanogan	Okanogan.
	Olympia	Olympia.
	Snoqualmie	Seattle.
	Wenatchee	Wenatchee.

REGION 8, SOUTHERN REGION

(Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma South Carolina, Tennessee, Texas, and Virginia) Regional Forester, 50 Seventh Street NE., Atlanta, Ga. 30323.

Alabama	William B. Bankhead.	Montgomery.
	Conecuh	Do.
	Talladega	Do.
	Tuskegee	Do.
Arkansas	Ouachita	Hot Springs National Park.
	Ozark and St. Francis.	Russellville.
Florida	Apalachicola	Tallahassee.
	Ocala	Do.
	Osceola	Do.
Georgia	Chattahoochee	Gainesville.
	Oconee	
Kentucky	Daniel Boone	Winchester.
Louisiana	Kisatchie	Pineville.
Mississippi	Bienville	Jackson.
	Delta	Do.
	DeSoto	Do.
	Holly Springs	Do.
	Homochitto	Do.
	Tombigbee	Do.
North Carolina	Croatan	Asheville.
	Nantahala	Do.
	Pisgah	Do.
	Uwharrie	Do.
South Carolina	Francis Marion	Columbia.
	Sumter	Do.
Tennessee	Cherokee	Cleveland.
Texas	Angelina	Lufkin.
	Davy Crockett	Do.
	Sabine	Do.
	Sam Houston	Do.
Virginia	George Washington.	Harrisonburg.
	Jefferson	Roanoke.

REGION 9, EASTERN REGION

(Connecticut, Delaware, Illinois, Iowa, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, and Wisconsin) Regional Forester, Greyhound Building, 633 West Wisconsin Avenue Milwaukee Wis. 53203.

Illinois	Shawnee	Harrisburg.
Indiana and Ohio	Wayne-Hoosier	Bedford.
Michigan	Hiawatha	Escanaba.
	Huron-Manistee	Cadillac.
	Ottawa	Ironwood.
Minnesota	Chippewa	Cass Lake.
	Superior	Duluth.
Missouri	Clark	Rolla.
	Mark Twain	Springfield.
New Hampshire and Maine.	White Mountain.	Laconia, N.H.
Pennsylvania	Allegheny	Warren.
Vermont	Green Mountain.	Rutland.
West Virginia	Monongahela	Elkins.
Wisconsin	Chequamegon	Park Falls.
	Nicolet	Rhinelander.

REGION 10, ALASKA REGION

Regional Forester, Federal Office Building, Box 1628, Juneau, Alaska 99801.

Alaska	Chugach	Anchorage.
	North Tongass	Juneau.
	South Tongass	Ketchikan.

FOREST AND RANGE EXPERIMENT STATIONS

Name of station and headquarters of director

Intermountain—507 27th Street, Ogden, Utah 84401.

North Central—USDA, Folwell Avenue, St. Paul, Minn. 55101.

Northeastern—6816 Market Street, Upper Darby, Pa. 19082.

Pacific Northwest—809 Northeast Sixth Avenue, Post Office Box 3141, Portland, Oreg. 99208.

Pacific Southwest—1960 Addison Street, Post Office Box 245, Berkeley, Calif. 94701.

Rocky Mountain—240 West Prospect, Fort Collins, Colo. 80521.
Southeastern—223 Post Office Building, Post Office Box 2570, Asheville, N.C. 28802.
Southern—701 Loyola Avenue, New Orleans, La. 70113.
Institute of Tropical Forestry—University of Puerto Rico, Agricultural Experiment Station Grounds, Post Office Box 577, Rio Piedras, P.R. 00928.
Forest Products Laboratory—North Walnut Street, Madison, Wis. 53705.

AREA OFFICES

Northeastern Area—6816 Market Street, Upper Darby, Pa. 19082.
Southeastern Area—50 Seventh Street NE., Atlanta, Ga. 30323.

Subpart B—Functions and Procedures

§ 200.3 Forest Service functions.

(a) *Legislative authority.* The basic laws authorizing activities of the Forest Service are set forth in 16 U.S.C. 460, 471–594, 616, 694, and 1131–1136; 33 U.S.C. 701; and 7 U.S.C. 1010–1013a.

(b) *Work of the Forest Service.* Under delegated authority from the Secretary of Agriculture, the broad responsibilities of the Forest Service are:

(1) *Leadership in forestry.* The Forest Service provides overall leadership in forest and forest-range conservation, development, and use. This involves determination of forestry conditions and requirements, and recommendations of policies and programs needed to keep the Nation's private and public lands fully productive.

(2) *National Forest System Administration.* (i) The Forest Service administers and manages the National Forest System lands in accordance with the Multiple Use Sustained Yield Act of June 12, 1960 (16 U.S.C. 528–531).

(ii) The National Forest System comprises about 187 million acres of land in the National Forests and National Grasslands, and other areas which have been transferred to the Forest Service for administration. On these public lands (*a*) forestry methods are applied in growing and harvesting timber, (*b*) forage is scientifically managed for the use of domestic livestock whose numbers are kept in balance with the carrying capacity of the range, (*c*) wildlife habitat and species are managed, (*d*) watersheds are managed to safeguard the water supply and stabilize streamflow, (*e*) recreation resources are managed for public enjoyment and benefit, (*f*) many forms of land and resource use are granted under permit or lease, and (*g*) physical and resource improvements needed to develop, protect, and use all resources are built and maintained.

(3) *Cooperative forestry.* The Forest Service carries out cooperative forestry programs for public benefit through programs initiated by State, county, and other Federal agencies. These programs are directed at the protection, development, and sustained production of all forestry resources, both public and private.

(4) *Forest research.* The Forest Service conducts research on problems involving protection, development, management, renewal, and continuous use of all resources, products, values, and services of forest lands. Research is conducted on (i) forest and range management, including the five basic resources of timber, forest soil and water, range forage, wildlife and fish habitat, and forest recreation, (ii) forest protection from fire, insects, and disease, (iii) forest products and engineering, and (iv) forest resource economics including forest survey, forest economics, and forest products marketing.

§ 200.4 General procedures.

(a) The regulations of the Secretary of Agriculture governing the protection and administration of National Forest System lands are set forth in Chapter 2, Title 36, of the Code of Federal Regulations.

(b) Procedures for the conduct of Forest Service activities are issued as directives by the central office of the Forest Service and by the field offices listed in § 200.2.

(c) Directives include: (1) The Forest Service Directives System comprised of the Forest Service Manual and related Forest Service Handbooks, (2) correspondence that relates to decisions or interpretations on specific activities, cases, or incidents, and (3) circular memoranda that contain unpublished policies and procedures which apply to a number of subordinate offices.

(d) Forest Service Directives System issuances are published under delegated authority as follows:

(1) The Forest Service Manual and Forest Service Handbook issuances are published in the Office of the Chief by the Division of Administrative Management for use by all Forest Service units.

(2) Forest Service Manual and Forest Service Handbook issuances are supplemented in the field offices by the Regional Forester or Deputy Regional Forester, Research Station Director, Area Director, or Forest Supervisor or Deputy Forest Supervisors.

(e) Directives issued as unpublished correspondence or circular memoranda are issued in accordance with signing authorities published in the Forest Service Directives System.

(f) An alphabetical index of the contents of the Forest Service Manual and related Forest Service Handbooks is published as a Master Index Handbook. In addition, the Master Index contains a listing of all Series, Titles, and Chapters in the Forest Service Manual; and a listing of all Forest Service Handbooks in the Directives System.

(g) The Handbook on File System outlines and indexes the filing system for all correspondence, circular memoranda, and records.

(h) Forms used are listed in the Forest Service Manual. Instructions for their use are issued as directives.

§ 200.5 Information available.

Except as provided in § 200.6, all published or unpublished directives, forms, records, and concurring or dissenting final opinions and orders made in the adjudication of cases are available for public review by any person.

§ 200.6 Exceptions.

Records which are exempt from availability for public inspection and copying include:

(a) Records and reports exempted from disclosure by statute or by Executive Order.

(b) Personnel and medical files and similar files and records, including personnel investigative reports, except as authorized to be made available by the Director of Personnel, which would constitute a clearly unwarranted invasion of personal privacy.

(c) Investigatory files and records, including inspection and accounting reports and supporting data, compiled for law enforcement purposes, except to the extent available by law to a private party.

(d) Records relating solely to internal personnel rules and practices, including:

(1) Minutes of meetings of advisory committees prior to public announcement of conclusions or recommendations or to release of a verbatim transcript or a full and complete record.

(2) Audit records and reports, except audits made in connection with contractual or cooperative relations which the responsible Regional Forester or Director determines may be made available to the contractor, cooperator, or the party whose activities form the basis of the audit.

(3) Records of research, experimentation, and physical analysis of samples and other materials, including patent records, prior to publication or release; and research information involving research under cooperative agreements, contracts, or grants, except as may be made available under the agreement, contract or grant.

(4) Appraisal records, cost estimates, analyses, data, and other information, prior to publication and release, including the Timber Sale Report and Appraisal before the date the timber sale advertisement is published or, in the case of short notice sales, before the timber sale advertisement is posted in a public place, and the same reports for all forms of unadvertised sales before the date such sales are awarded; appraisal information in the appraisal summary of the Report of Advertised Sale (Form 2400–17) before the sale has been reviewed and approved by the officer authorized to approve the sale; management plan inventory data (plot cards, summary sheets, and type and condition class maps) before they have been checked, approved, and are ready for use in management planning; engineering cost estimates for construction or maintenance work, other than cost estimates for timber sale purchaser road construction and maintenance included in Timber Sale Reports and Appraisals, until after bids have been opened and read; appraisal information in connection with land purchases before the purchase option-contract is signed by the landowner and accepted by the United States; and appraisal values, other than the total appraised value of the offered and selected land, in connection with land exchanges before exchange negotiations are far enough advanced that

the interests of the United States and the private landowners are not adversely affected.

(e) Interagency or intra-agency memoranda or letters which would not be available by law to a private party in litigation with the Forest Service.

(f) Trade secrets and commercial and financial information obtained from any person and privileged or confidential, including:

(1) Cost and selling value data obtained from timber sale purchasers for use in timber appraisals; any part of the Rate Redetermination Report (Form 2400–19 or 19a) when the report is basically a summary of the individual purchaser's operation and contains financial information supplied by the purchaser; any information obtained from the purchaser, or from another source, which would disclose cost, returns, or other information about the purchaser used in rate redetermination or for other purposes related to timber sales and timber management.

(2) Financial statements, cost statements, or other information obtained from timber sale bidders to determine qualification for award of sale contracts.

(3) Inspection information on the Timber Sale Statement of Account (Form 2400–22) which would reveal the purchaser's deposits or balance on deposit to persons other than the purchaser or his authorized representative.

(4) Inventory data, including individual field sample record sheets, and individual timber products output survey forms which show such information as the name, location, resource, or operational data that can be obtained as pertaining to a specific timber operator or company.

(5) Information on the Application for Grazing Permit (Form 2200–16a rev. 9/65) part 8 concerning ownership, plans, crop production, leasing and mortgages and related information obtained from the grazing permit applicant.

(6) Financial statements, economic studies. and use projections submitted with proposals or bids.

(7) Sales, volume of business, investments, and profit and loss statements submitted by the permittee upon request of the Forest Service.

(8) Fees charged by the Forest Service when the fee is based on commercial or financial information furnished by the permittee.

(g) All records, files, documents, memoranda, correspondence, exhibits, and information of whatever nature coming into the possession or within the knowledge of the Forest Service or any of its officers or employees in the discharge of its official duties which come within the scope of the exemptions from public availability.

§ 200.7 Offices where information is available.

Places where the public may secure information, make requests, or obtain decisions are the Office of the Chief of offices of any Regional Forester, Research Station Director, Area Director, Forest Supervisor, or District Ranger. All information on all activities may not be available at a given location because of territorial jurisdiction, level of the organization, limited activity on a given unit, or related reasons. When the information desired is not available at a given location, the office where the request is received will give assistance by directing the applicant to the office where the information may be obtained. Except for such information as is generally available for the public, requests and submittals should be in writing and need not follow any particular form.

§ 200.8 Where information may be copied.

Facilities for copying are available at all offices listed in §§ 200.1 and 200.2. Copying facilities are not available at offices of the District Ranger.

§ 200.9 Rules governing inspection and copying.

(a) Facilities for inspection and copying are available during established office hours for the particular location, usually 8 a.m. to 5 p.m., Monday through Friday.

(b) The Department of Agriculture has established a schedule of fees for copying information, and charges for copying Forest Service records are controlled by the fee schedule of the Department.

(c) Applicants for information, at their discretion, may bring their own copy equipment and make copies of available information without charge.

(d) Published information available for public distribution is furnished without charge.

§ 200.10 Administrative appeals.

Any applicant whose request for records is denied may appeal in writing to the Chief, Forest Service. Review and decision on the applicant's appeal shall be by the Chief or his duly authorized representatives.

(Sec. 3(a), 80 Stat. 250; 5 U.S.C. 552 (a))

Done at Washington, D.C., this 29th day of June 1967.

JOHN A. BAKER,
Assistant Secretary of Agriculture.

[F.R. Doc. 67-7614; Filed, July 3, 1967; 8:51 a.m.]

Chapter V—Smithsonian Institution

PART 504—SCIENCE INFORMATION EXCHANGE

Public Access to Records of Government Research in Progress

Effective following publication of this regulation in the FEDERAL REGISTER, Chapter V, Title 36 of the Code of Federal Regulations is amended by adding a new Part 504 as follows:

Sec.
504.1 Nature of exchange.
504.2 Purpose of part.
504.3 Procedure for obtaining records.
504.4 Fees.

AUTHORITY: The provisions of this Part 504 issued under 5 U.S.C. 552, 559.

§ 504.1 Nature of exchange.

The Science Information Exchange of the Smithsonian Institution under contract with the National Science Foundation collects one-page records of research currently in progress. These records are coded into a computer-based system designed to provide information to assist and facilitate the management of Federal research programs and projects by research administrators, directors, and scientists and their grantees and contractors.

§ 504.2 Purpose of part.

This part is designed to assist Government agencies in complying with the provisions of section 3(c) of the Administrative Procedure Act of 1946, as revised by Public Law 89–487, approved July 4, 1966.

§ 504.3 Procedure for obtaining records.

(a) Consistent with the instructions found in the Attorney General's Memorandum on the Public Information Section of the Administrative Procedure Act (Government Printing Office, June 1967), records of Government-sponsored research in progress may be obtained at the Science Information Exchange, Room 301, Madison National Bank Building, 1730 M Street NW., Washington, D.C., by utilizing the procedure set forth in paragraphs (b) and (c) of this section.

(b) Desired records may be selected from catalogs and title lists at Room 301, Madison National Bank Building by filling out order forms indicating the order number and title of each record selected.

(c) Each order form will also include the name, address, and zip code of the requestor. All reasonable efforts will be made to assure that documents ordered will be retrieved and copies will be mailed to the requestor as soon as possible after receipt of the executed order form and the payment of the fees to be assessed for servicing the request for the desired records. Requestors are cautioned, however, that these records do not originate at the Science Information Exchange and that they are continually received, terminated, updated, and changed. Thus, records may be obsolete at any time after selection date.

§ 504.4 Fees.

(a) Except as provided in paragraphs (b) and (c) of this section, fees of 30 cents per record copy will be charged. These fees are payable in advance in currency (for payments made at the Science Information Exchange) or by check or money order made out to the Smithsonian Institution (for payments made at the Science Information Exchange or by mail).

(b) No charges will be made for requests for research records from Government agencies listed in the United States Government Organization Manual or for Federal grantees or contractors designated by the Federal agencies as participants in their research programs.

(c) At the discretion of the Director of the Science Information Exchange, no charges will be made for requests for research records from nonprofit research organizations if the cost to the Science Information Exchange in servicing the request is commensurate with the contributions of such organizations of records as participating agencies in the exchange program.

Dated: June 28, 1967.

JAMES BRADLEY,
Acting Secretary.

[F.R. Doc. 67-7631; Filed, July 3, 1967; 8:53 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-8—TERMINATION OF CONTRACTS

Subpart 1-8.7—Clauses

USE OF CLAUSES FOR TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

This amendment modifies the requirements of the Federal Procurement Regulations regarding the use in contracts of clauses providing for termination for the convenience of the Government. Heretofore, the FPR has prescribed such clauses but has left the decisions regarding inclusion of the clauses in contracts to the individual agencies. Inclusion of the prescribed Termination for Convenience of the Government clauses in fixed-price contracts over prescribed dollar amounts for supplies, construction, and certain services is now mandatory. However, use of the prescribed short-form clauses is authorized in fixed-price contracts not in excess of $100,000. The amendment also sets forth instructions (previously contained in a footnote) for modifying the Termination for Default clause prescribed for use in fixed-price construction contracts.

Section 1-8.700-2 is amended to modify the provisions of paragraphs (a) and (b)(5). As amended, the section reads as follows:

§ 1-8.700-2 Applicability.

(a) *Termination for convenience clauses.* The clauses set forth in §§ 1-8.701 through 1-8.706 are prescribed for use in accordance with this § 1-8.700-2 (a).

(1) The clause set forth in § 1-8.701 shall be used, except as otherwise permitted by § 1-8.700-2(a)(2), in any fixed-price contract in excess of $2,500 for (i) supplies, or (ii) experimental, developmental, or research work where a profit is contemplated, when the contract is entered into by formal advertising or by negotiation.

(2) The short-form termination clause set forth in § 1-8.705-1 is authorized for use in any fixed-price contract for supplies which is not in excess of $100,000 in lieu of any other clause providing for termination for the convenience of the Government. The short-form clause is also authorized for use in any contract for services where it is determined that because the successful bidder will not have incurred substantial charges in preparation for and carrying out the contract a termination claim will not be made in the event of termination for the convenience of the Government.

(3) The clause set forth in § 1-8.702 shall be used in any cost-reimbursement type contract for (i) supplies, or (ii) experimental, developmental, or research work where a fee is contemplated, whenever the procuring activity considers it necessary or desirable to provide for termination of the contract for the convenience of the Government.

(4) The clause set forth in § 1-8.704-1 shall be used in any fixed-price type contract for experimental, developmental, or research work placed with an educational or nonprofit institution on a no-fee or no-profit basis. The clause also shall be used in any cost-reimbursement type contract for experimental, developmental, or research work placed with an educational or nonprofit institution on a no-fee or no-profit basis, whenever the procuring activity considers it desirable to provide for termination of the contract for the convenience of the Government.

(5) The clause set forth in § 1-8.703 shall be used, except as otherwise permitted by § 1-8.700-2(a)(6), in any fixed-price construction contract in excess of $10,000 entered into by formal advertising or by negotiation.

(6) The short-form termination clause set forth in § 1-8.705-2 is authorized for use in any fixed-price construction contract which is not in excess of $100,000 in lieu of any other clause providing for termination for the convenience of the Government.

(7) Suggested clauses for use in certain subcontracts are covered in §§ 1-8.704-2 and 1-8.706.

(b) *Termination for default clauses.*

* * * * *

(5) In any fixed-price construction contract estimated not to exceed $10,000, the clause set forth in § 1-8.709-2 shall be used, except that when Standard Form 19 is used, the prescribed words "the clause of this contract entitled 'Disputes'" shall not be substituted for the words "Clause 3" in that form, when the contract is entered into either (i) by formal advertising, or (ii) by negotiation (when for other than small purchases made in accordance with Subpart 1-3.6).

* * * * *

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective August 1, 1967, with respect to all invitations for bids and requests for proposals initiated on or after that date.

Dated: June 26, 1967.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 67-7561; Filed, July 3, 1967; 8:47 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-25—GENERAL

Subpart 101-25.3—Use Standards

OFFICE FURNITURE

Subpart 101-25.3 is amended by revising § 101-25.302-1 to continue in effect the provisions of Federal Property Management Regulations, Temporary Regulation No. E-6, dated October 14, 1966, which revised the standards for use of office furniture and the application of these standards.

Section 101-25.302-1 is revised to read as follows:

§ 101-25.302-1 Executive type office furniture and furnishings.

(a) The use of executive type wood (traditional or modern) office furniture, whether new or rehabilitated, shall be limited to personnel in grade GS-18 and above, or the equivalent thereto, including military rank. Such furniture may be provided to personnel of lower grade, but not below grade GS-15, upon determination by the agency head or his designee that a particular position and responsibilities justify such use. Appropriate furnishings matching this type of office furniture shall also be limited to these personnel. This type of office furniture includes items which are available from Federal Supply Schedules FSC Group 71, Parts VI and XII, and the executive office furniture (Allenwood) available from Federal Prison Industries, Inc.

(b) The use of unitized wood office furniture shall be limited to personnel in grade GS-15 and above, or the equivalent thereto, including military rank. Appropriate furnishings matching this type of office furniture shall also be limited to these personnel. This type of office furniture is included in Federal Supply Schedule FSC Group 71, Part VIII.

(c) Where it has been determined that personnel are entitled to executive wood or unitized wood office furniture on the basis of the standards in (a) and (b) above, procurement of new furniture may be made if the required furniture is not available:

(1) From agency-owned unassigned inventory, office furniture "pools" or stocks, or

(2) By reassigning executive wood or unitized wood office furniture used by persons not entitled to it provided that substantial or offsetting costs will not be incurred thereby for packing, packaging, shipping, rehabilitating, and other related costs.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: June 28, 1967.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 67-7562; Filed, July 3, 1967; 8:47 a.m.]

Title 45—PUBLIC WELFARE

Chapter VII—Commission on Civil Rights

PART 704—INFORMATION DISCLOSURE AND COMMUNICATIONS

Effective July 4, 1967, Part 704 of Chapter VII of Title 45 of the Code of Federal Regulations is revised to read as follows:

Sec.
704.1 Material available pursuant to 5 U.S.C. 552.
704.2 Complaints.
704.3 Other requests and communications.
704.4 Restrictions on disclosure of information.

AUTHORITY: The provisions of this Part 704 issued under sections 101–106, 71 Stat. 634–636, as amended; 42 U.S.C. 1975–1975(e); section 1, 81 Stat. 54–55; 5 U.S.C. 552.

§ 704.1 Material available pursuant to 5 U.S.C. 552.

(a) *Purpose and scope.* This section contains the regulations of the U.S. Commission on Civil Rights implementing 5 U.S.C. 552. These regulations inform the public about where and how records and information may be obtained from the Commission. Officers and employees of the Commission shall make Commission records available under 5 U.S.C. 552 only as prescribed in this section. Nothing contained in this section, however, shall be construed to prohibit officers or employees of the Commission from routinely furnishing information or records which are customarily furnished in the regular performance of their duties.

(b) *General policy.* In order to foster the maximum participation of an informed public in the affairs of Government, the Commission will make the fullest possible disclosure of its identifiable records and information consistent with such considerations as those provided in the exemptions of 5 U.S.C. 552, which are set forth in paragraph (f) of this section.

(c) *Material maintained on file pursuant to 5 U.S.C. 552(a)(2).* Material maintained on file pursuant to 5 U.S.C. 552(a)(2) shall be available for inspection during regular business hours at the offices of the Commission at 801 19th Street NW., Washington, D.C. 20425. Copies of such material shall be available upon written request, specifying the material desired, addressed to Office of General Counsel, Commission on Civil Rights, 801 19th Street NW., Washington, D.C. 20425, and upon the prepayment of fees determined in accordance with paragraph (e) of this section.

(1) *Current index.* Included in the material available pursuant to 5 U.S.C. 552(a)(2) shall be an index of (i) all other material maintained on file pursuant to 5 U.S.C. 552(a)(2) and (ii) all material published by the Commission in the FEDERAL REGISTER and currently in effect.

(2) *Deletion of identifying details.* Wherever deletions from material maintained on file pursuant to 5 U.S.C. 552 (a)(2) are required in order to prevent a clearly unwarranted invasion of privacy, justification for the deletions shall be placed as a preamble to documents from which such deletions are made.

(d) *Material available upon request pursuant to 5 U.S.C. 552(a)(3)*—(1) *Request procedure.* (i) Requests for records available pursuant to 5 U.S.C. 552 (a)(3) shall be addressed in writing to Office of General Counsel, U.S. Commission on Civil Rights, 801 19th Street NW., Washington, D.C. 20425, and shall, (a) contain a sufficiently specific description of the record requested with respect to names, dates and subject matter to permit it to be identified and located; (b) state whether copies are requested; (c) state when and where the records are requested to be examined or copies of records to be delivered.

(ii) Response to requests shall be made promptly by the General Counsel and shall, (a) describe the nature and extent of the material, if any, available pursuant to the request; (b) state the estimated cost, determined in accordance with paragraph (e) of this section, and any prepayment requirements, of making the records or copies available; (c) state the time and place, determined in accordance with the terms of the request and with subparagraph (2) of this paragraph, at which records of copies will be made available; (d) if no records are available pursuant to the request, fully state the reasons therefor.

(2) *Time and place of access to material.* Records or copies requested shall be made available at the offices of the Commission at 801 19th Street NW., Washington, D.C. 20425, during regular business hours.

(e) *Fees.* The fee for making documents or copies available pursuant to 5 U.S.C. 552(a)(2) or 552(a)(3) shall include: (1) the cost of reproduction of documents, normally 10 cents per page; (2) the cost of postage; and (3) the cost of document searches (normally $5.32 per hour of Commission staff time devoted to the document search). There will be a charge of $1 each for certification of true copies. No more than 10 copies of any document will be furnished. If the estimated fees in respect of any request total $1 or more, they shall be prepaid. Payment shall be made in cash, or by U.S. money order, or by certified bank checks payable to the Treasurer of the United States. Postage stamps will not be accepted.

(f) *Exemptions (5 U.S.C. 552(b))*—(1) *General.* 5 U.S.C. 552 authorizes exemption from disclosure of records and information concerning matters that are:

(i) Specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(ii) Related solely to the internal personnel rules and practices of an agency;

(iii) Specifically exempted from disclosure by statute;

(iv) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(v) Interagency or intraagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(vi) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(vii) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(viii) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; and

(ix) Geological and geophysical information and data, including maps, concerning wells.

(2) *Confidential communications (5 U.S.C. 552(b)(4)).* Among the documents exempt from disclosure pursuant to 5 U.S.C. 552 shall be documents which disclose the fact or the substance of a communication made to the Commission in confidence. A communication shall be deemed to have been made to the Commission in confidence if (i) the communicant states that it is made in confidence, or (ii) the substance or circumstances of the communication makes it reasonable to conclude that the communicant would not wish the fact or the substance of the communication disclosed to the public. As a general rule, it shall be deemed reasonable to conclude that a communicant would not wish disclosed to the public a communication alleging, or supporting an allegation of, the commission of wrongs by certain persons or entities.

(3) *Investigation files (5 U.S.C. 552(b)(7)).* Among the documents exempt from disclosure pursuant to 5 U.S.C. 552 shall be investigation files or similar documents reflecting investigations which either (i) are conducted for the purpose of determining whether a violation or violations of legal right has taken place, or (ii) have disclosed that a violation or violations of legal right has taken place, except to the extent such files or similar documents are available by law to a party other than an agency.

(g) *Administrative appeal from denial of requests.* If a request conforming with the requirements of paragraph (d)(1) of this section is denied by the General Counsel, the denial is subject to review by the Staff Director of the Commission provided such review is requested by the person submitting a request for information in accordance with this paragraph (g) within 30 days after the date of the General Counsel's decision. The filing of a request for review may be accomplished by mailing to the Staff Director, U.S. Commission on Civil Rights, 801 19th Street NW., Washington, D.C. 20425, by certified mail, a copy of the initiating request for a record, a copy of the written denial issued under this paragraph, and a statement of the circumstances, reasons or arguments advanced for insistence upon disclosure of the originally requested record. Review will be made by the Staff Director on the basis of the written record described

above. The decision after review will be in writing, will be promptly communicated to the person requesting review, and will constitute the final action of the Commission subject to judicial review as provided in 5 U.S.C. 552(a)(3).

(h) *Effective date.* The regulations of this § 701.1 are effective July 4, 1967.

§ 704.2 Complaints.

Any person may bring to the attention of the Commission a grievance which he believes falls within the jurisdiction of the Commission, as set forth in section 104 of the Act. This shall be done by submitting a complaint in writing to Office of General Counsel, U.S. Commission on Civil Rights, 801 19th Street NW., Washington, D.C. 20425. Allegations falling under section 104(a) (1) and (5) of the Act (discrimination or fraud in voting) must be under oath or affirmation. All complaints should set forth the pertinent facts upon which the complaint is based, including but not limited to specification of (a) names and titles of officials or other persons involved in acts forming the basis for the complaint; (b) accurate designations of place locations involved; (c) dates of events described in complaint.

§ 704.3 Other requests and communications.

Requests for information and for Commission literature should be directed to Information Office, U.S. Commission on Civil Rights, 801 19th Street NW., Washington, D.C. 20425. Communications with respect to Commission proceedings should be made pursuant to § 702.17 of this chapter. All other communications with the Commission should be directed to Staff Director, United States Commission on Civil Rights, 801 19th Street NW., Washington, D.C. 20425.

§ 704.4 Restrictions on disclosure of information.

(a) By the provisions of section 102(g) of the Act, no evidence or testimony or summary of evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission, and any person who releases or uses in public without the consent of the Commission such evidence or testimony taken in executive session shall be fined not more than $1,000 or imprisoned for not more than 1 year.

(b) Unless a matter of public record, all information or documents obtained or prepared by any Member, officer, or employee of the Commission, including members of State Advisory Committees, in the course of his official duties, or by virtue of his official status, shall not be disclosed or used by such person for any purpose except in the performance of his official duties.

(c) Any Member, officer, or employee of the Commission including members of State Advisory Committees, who is served with a subpena, order, or other demand requiring the disclosure of such information or the production of such documents shall appear in response to such subpena, order, or other demand and, unless otherwise directed by the Commission, shall respectfully decline to disclose the information or produce the documents called for, basing his refusal upon this section. Any such person who is served with such a subpena, order, or other demand shall promptly advise the Commission of the service of such subpena, order, or other demand, the nature of the information or documents sought, and any circumstances which may bear upon the desirability of making available such information or documents.

Dated: June 29, 1967.

JOHN A. HANNAH,
Chairman,
U.S. Commission on Civil Rights.

[F.R. Doc. 67-7648; Filed, July 3, 1967; 8:53 a.m.]

Chapter X—Office of Economic Opportunity

PART 1005—INSPECTION AND COPYING OF RECORDS; RULES FOR COMPLIANCE WITH PUBLIC INFORMATION ACT

A new Part 1005 is added to Chapter X of Title 45.

Sec.
1005.1 Purpose.
1005.2 Definitions.
1005.3 Central records room.
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1005.8 Securing copies of records by mail.
1005.9 Statutory exemptions.
1005.12 Records of other agencies.
1005.13 Fees.
1005.15 Officials authorized to grant or deny requests for records or copies of records.
1005.16 Form and records of denial.
1005.17 Administrative review of denials.

AUTHORITY: The provisions of this Part 1005 issued under 5 U.S.C. 552, 559.

§ 1005.1 Purpose.

The purpose of this part is to prescribe rules for the inspection and copying of opinions, policy statements, staff manuals, instructions and other records of the Office of Economic Opportunity pursuant to 5 U.S.C. 552(a) (2) and (3).

§ 1005.2 Definitions.

As used in this part,

(a) "Office" means the Office of Economic Opportunity;

(b) "Records" includes books, papers, maps, photographs, or other documentary materials, regardless of physical form, made or received by the Office in connection with the transaction of public business and preserved as evidence of governmental organizations, functions, policies, decisions, procedures, operations, or other activities, or because of the informational value of data contained therein, but does not include books, magazines or other materials acquired solely for library purposes and available through any officially designated library of the Office; and

(c) "Person" includes a corporation or organization as well as an individual.

§ 1005.3 Central records room.

(a) The Office will maintain a central records room at its headquarters, in room 223, 1200 19th Street NW., Washington, D.C. 20506. This room will be under the supervision of a records officer and will open during regular business hours of the Office for the convenience of members of the public in inspecting and copying materials and records made available pursuant to this part. Certain materials, as described in paragraph (b) of this section, will be regularly maintained in or in close proximity to the records room so as to be promptly available there to any member of the public.

(b) Subject to the limitation stated in paragraph (c) of this section, there will be available in the headquarters records room the following:

(1) All final opinions and orders made in the adjudication of cases which have or may have precedential effect;

(2) Statements of policy and interpretations adopted by the Office which have not been published in the FEDERAL REGISTER but which have been or may be cited or relied upon as precedents;

(3) Administrative staff manuals and instructions to staff which affect the public;

(4) A current index covering at least so much of the foregoing materials as have been issued, adopted, or promulgated after July 4, 1967; and

(5) To the extent feasible, guidelines, forms, published regulations, and notices, program descriptions, and other materials considered to be of general interest to members of the public in understanding programs of the Office or in dealing with the Office in connection with those programs.

(c) Certain types of staff manuals or instructions, such as instructions to auditors or staff of the Office of Inspection, or instructions covering certain phases of contract negotiation are exempt from disclosure even though they affect or may affect the public. These will not be maintained in the records rooms. Also, in some cases, opinions maintained in the records rooms may be in a form which deletes certain identifying details in order to prevent a clearly unwarranted invasion of privacy. In such cases, there will be attached to the opinion a full explanation of the justification for the deletion.

§ 1005.4 Regional rooms and facilities.

The Office has regional offices in the following places:

Northeast Region (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Puerto Rico, and the Virgin Islands), 72 West 45th Street, New York, N.Y. 10036.

Mid-Atlantic Region (Delaware, Kentucky, Maryland, North Carolina, Pennsylvania, Virginia, and West Virginia), 1730 K Street NW., Washington, D.C. 20506.

Southeast Region (Alabama, Florida, Georgia, Mississippi, Tennessee, and South Carolina), 101 Marietta Street, Atlanta, Ga. 30303.

Great Lakes Region (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin), 623 South Wabash, Chicago, Ill. 60605.

Southwest Region (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas), 314 West 11th Street, Austin, Tex. 78701.

North Central Region (Colorado, Idaho, Iowa, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming), 215 West Pershing Road, Kansas City, Mo. 64108.

Western Region (Alaska, Arizona, California, Hawaii, Nevada, Oregon, and Washington), 100 McAllister Street, San Francisco, Calif. 94102.

Although it may not always be feasible in these offices to set aside records rooms for the exclusive or primary use of the public, every reasonable effort will be made to accommodate members of the public who wish to use regional office facilities for the purpose of inspecting and copying records. The Office will also endeavor to maintain and have readily available in its regional offices the materials described in § 1005.3(b) as available in its headquarters records room and will designate a records officer in each regional office to receive and handle requests submitted pursuant to this part.

§ 1005.6 Use of records rooms.

(a) Any member of the public who wishes to inspect or copy opinions, interpretations, staff manuals, or other materials regularly maintained in a records room may secure access to those materials by presenting himself at one of the addresses indicated during business hours. No advance notice or appointment is required, although persons wishing to make extended use of regional office facilities should take account of the possible limitations in these facilities as described in § 1005.4.

(b) The records rooms are also available to any member of the public to inspect and copy records which are not regularly maintained in the records room. To obtain this type of record, a person should present his request identifying the record to the records officer. It will often be impossible, however, to produce these records or copies of them on very short notice. Accordingly, a member of the public who wishes to use records room facilities to inspect or copy such records is advised to arrange a time in advance, by phone or letter request made to the records officer of the facility he desires to use. Individuals making phone requests will be advised by the records officer or his designee whether a written request would be advisable to aid in the identification and expeditious handling of the records sought. Individuals making written requests should identify the records sought in the manner provided in § 1005.7. They should also indicate whether there is any specific date on which they would like to use the records room facilities. The records officer will endeavor to advise the writer as promptly as possible whether, for any reason, it may not be possible to make the records sought available on the date requested.

§ 1005.7 Identification of records by persons requesting them.

(a) In order for the Office to locate records and make them available, it is necessary that it be able to identify the specific records sought. Persons wishing to inspect or secure copies of records should, therefore, seek to identify them just as fully and accurately as is possible. In cases where requests are submitted which are not sufficient to permit identification, the records officer receiving the request will endeavor to assist the person seeking the records in filling in necessary details. In most cases, however, persons seeking records will find that time taken in trying to identify materials in the beginning is well worth their while in enabling the Office to respond promptly to their request.

(b) Among the kinds of information which a person seeking a record should try to provide in order to permit identification of a record are the following:

(1) The specific event or action, if any or if known, to which the record refers.

(2) The unit or program of the Office which may be responsible for or may have produced the record, such as Job Corps, Community Action Programs, or VISTA.

(3) The date of the record or the date or period to which it refers or relates, if known.

(4) The type of record, such as an application, a contract, or a grant, or a report.

(5) Personnel of the Office who may have prepared or have knowledge of the record.

(6) Citations to newspapers or publications which are known to have referred to the record.

§ 1005.8 Securing copies of records by mail.

A person desiring to secure copies of records by mail should write to the "Records Officer" at the Washington headquarters address or one of the regional office addresses indicated above. Records relating to any local community action program will generally be located in the regional office serving the State in which the program is being carried on; records relating to the Volunteers in Service to America (VISTA) or Job Corps programs will very commonly be located in headquarters. If the person making the request is uncertain whether the record is located in a particular office, he should write to the records officer in the headquarters office. The request should identify the records of which copies are sought as provided in § 1005.7, and should indicate the number of copies desired. As indicated in § 1005.13, fees may be required in some cases, in which event they must be paid in advance. If the person making the request is uncertain as to whether a fee will be required, or its amount, his letter should so indicate, and he will be advised as to the fee, if any, as promptly as possible.

§ 1005.9 Statutory exemptions.

(a) The provisions of 5 U.S.C. section 552 which require that agencies make their records available for public inspection and copying do not apply to matters which are:

(1) Specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(2) Specifically exempted from disclosure by statute;

(3) Related solely to the internal personnel rules and practices of an agency;

(4) Trade secrets and commercial or financial information obtained from a person and privileged and confidential;

(5) Interagency or intra-agency memorandums or letters which would not be available to a party other than an agency in litigation with the agency;

(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(7) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(8) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(9) Geological and geophysical information and data, including maps, concerning wells.

(b) Of the various exemptions set forth in paragraph (a) of this section, those considered most likely to be applicable to records of the Office are listed in subparagraphs (3), (4), (5), (6), and (7) of paragraph (a). These, generally, pertain to: Records setting forth such internal personnel rules and practices as instructions to staff on inspection or contract negotiation tactics; records, including records of commercial and financial data, which contain information which is subject to some established or generally recognized privilege or is otherwise confidential because of the circumstances under which it was acquired; records in the form of communications by which officials or staff of the Office or another agency undertake to advise one another of their views on proposed official actions; records concerning the personal or family affairs of employees, prospective employees, or participants in programs which the Office assists or is responsible for; and records, including inspection reports, which the Office compiles and maintains for use in connection with pending or prospective enforcement proceedings. The Office will invoke these exceptions as sparingly as possible, consistent with its obligation to administer the laws for which it is responsible fairly and effectively and its obligation to assure that the governmental powers and facilities available to it for collecting and maintaining information relating to the private needs, problems or affairs of the families and individuals are not used for other than their intended official purpose.

§ 1005.12 Records of other agencies.

In any case where a request is determined to relate to records which are of paramount concern to another agency, the Office will forward the request to that agency. The person making the request will be promptly notified of this action. For purposes of this section, records produced by or for another agency which pertain to program powers exercised by it under delegation or agree-

ment from the Office will, subject to any interagency understandings covering specific records or classes of records, be treated as of paramount concern to that other agency.

§ 1005.13 Fees.

It is the policy of the Office of Economic Opportunity, pursuant to section 613 of the Economic Opportunity Act of 1964 (42 U.S.C. sec. 2963), to encourage the widest possible distribution of information concerning programs under the Act. To the extent practicable, that policy will be applied under this part so as to permit requests for inspection or copies of records to be met without cost to the person making the request. Fees will be charged, however, in the case of requests which are determined to involve a burden on staff or facilities significantly in excess of that normally accepted by the Office in handling routine requests for information. In determining whether a fee will be charged, the Office will consider costs of identifying and locating records, as well as costs of copying and mailing. While the fee for copying will in no event exceed 10 cents per page, the Office reserves the right to limit the number of copies that will be provided of any document to any one person, or to require that special arrangements for copying be made in the case of bound volumes or other records presenting unusual problems of handling or reproduction.

§ 1005.15 Officials authorized to grant or deny requests for records or copies of records.

The Assistant Director for Management shall be responsible for advising Office officials and staff as to their obligations under this part and for taking such other actions as may be necessary or appropriate to assure a consistent and equitable application of the provisions of this part by and within the Office. He may, for this purpose, require other officials of the Office to clear with him prior to denying requests under this part, or prior to granting requests for categories of documents which he determines may present special or unusual problems. Subject to this authority, each Assistant Director of the Office, the General Counsel, the Executive Secretary and each Regional Director is authorized, directly or through his designee, to grant or deny requests under this part which pertains to records within his area of responsibility.

§ 1005.16 Form and records of denial.

No request for inspection or copying of records under this part which the requesting person has put in writing shall be denied except in writing. Any denial shall cite the provisions of this part on which the action is based and shall explain the reasons why the provisions cited are considered to support that action. All such denials shall, for purposes of this part, be treated as opinions and shall be maintained and indexed accordingly, subject only to the provisions of § 1005.3 (c) providing for the deletion of identifying details where necessary to prevent a clearly unwarranted invasion of privacy.

§ 1005.17 Administrative review of denials.

(a) Any person whose written request has been denied may obtain review of the denial by submitting a request for review to the Deputy Director of the Office within 30 days after issuance of the denial. The 30-day limitation may be waived for good cause. A request for review need not be in any particular form so long as it adequately identifies the decision to be reviewed and sets forth the reasons and arguments on which the person making the request relies.

(b) No personal appearance, oral argument or hearing will ordinarily be permitted on review of a denial. Upon request and a showing of special circumstances, however, this limitation may be waived and an informal conference or appearance arranged with or before the Deputy Director or some official designated by him for this purpose.

(c) The decision of the Deputy Director upon review shall be in writing and shall contain an explanation responsive to the arguments advanced and referring to the provisions of this part on which the decision is based. The decision shall be promptly communicated to the person requesting review and shall constitute the final action of the Office. All such decisions shall be treated as opinions under this part in the same manner as denials described in § 1005.16.

Dated: June 30, 1967.

BERTRAND M. HARDING,
Deputy Director.

[F.R. Doc. 67-7689; Filed, July 3, 1967; 8:55 a.m.]

PART 1009—SUSPENSION AND TERMINATION OF ASSISTANCE

A new Part 1009 is added to Chapter X of Title 45 of the Code of Federal Regulations to include regulations of the Office of Economic Opportunity governing the suspension and termination of assistance provided under Titles II–A, III–B, IV, and VIII of the Economic Opportunity Act, as follows:

Sec.
1009.1 Purpose and scope.
1009.2 Definitions.
1009.3 Application of this part.
1009.4 Suspension and termination.
1009.5 Time and place of hearing.
1009.6 Right to counsel.
1009.7 Hearing procedures.
1009.8 Decisions and notices.
1009.9 Other remedies.

AUTHORITY: The provisions of this Part 1009 are issued under sec. 602 of Public Law 88-452, as amended.

§ 1009.1 Purpose and scope.

This part establishes procedural rules for suspension and termination of assistance provided by the Office of Economic Opportunity under Titles II–A, III–B, IV, and VIII of the Economic Opportunity Act of 1964, as amended (herein the "Act"), for failure of a recipient to comply with applicable laws, regulations, Community Action Memoranda, issued program guidelines, assurances or grant conditions. However, this part shall not apply to any administrative action of the Office of Economic Opportunity based in whole or in part upon any violation, or alleged violation of Title VI of the Civil Rights Act of 1964. In the case of such violation, or alleged violation, the provisions of Part 1010, of this Title 45, Code of Federal Regulations, shall apply.

§ 1009.2 Definitions.

As used in this part—

(a) The term "Office" means the Office of Economic Opportunity and includes each Regional Office.

(b) The term "Director" means the Director of the Office of Economic Opportunity, or his delegate, or in the case of a proceeding conducted in a Regional Office, the Regional Director of such office or his delegate.

(c) The term "responsible Office official" with respect to any program receiving assistance means the Director or other official of the Office who by law or by delegation has the principal responsibility within the Office for the administration of the law extending such assistance.

(d) The term "assistance" includes assistance under Titles II–A, III–B, IV, and VIII of the Act, for the provision of which the Office has primary responsibility, in the form of (1) grants and loans of Federal funds, and (2) the assignment or referral of VISTA volunteers.

(e) The term "recipient" means any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, organization, or other entity, or any individual, in any State, to whom assistance is extended, directly or through another recipient thereof, but such term does not include any ultimate beneficiary under any program of assistance. For the purposes of this paragraph, the term "State" includes the States of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and the territories and possessions of the United States.

(f) The term "termination" means any action permanently or indefinitely terminating or curtailing assistance to all or any part of a program prior to the time that such assistance or program has, by its terms or otherwise, concluded, but does not include the refusal to provide new or additional assistance.

(g) The term "suspension" means any action temporarily suspending or curtailing assistance in whole or in part, to all or any part of a program, prior to the time that such assistance or program has, by its terms or otherwise, concluded, but does not include the refusal to provide new or additional assistance.

§ 1009.3 Application of this part.

This part applies to assistance provided under any program authorized

under Titles II–A, III–B, IV, and VIII of the Act, and administered by the Office, and does not apply to programs whose administration has been delegated to another Federal agency.

§ 1009.4 Suspension and termination.

(a) *Suspension.* (1) If there appears to be a failure or threatened failure to comply with any applicable law, regulation, Community Action Memo or other issued program guide, assurance, or grant condition, of sufficient seriousness to warrant action under this part, the responsible Office official shall advise the recipient of his failure or threatened failure to comply and shall attempt to secure compliance by voluntary means. If the responsible Office official determines that compliance cannot be secured by voluntary means within a period of time determined by him to be reasonable under the circumstances, he shall notify the recipient by letter or by telegram that unless compliance is achieved, or good cause is shown why assistance should not be suspended within a specified period, not to be less than 5 days (except as provided in subparagraph (4) of this paragraph), the Office intends to suspend the assistance. The letter or telegram shall specifically inform the recipient of the reasons for proposed suspension and of the action required to achieve compliance. The responsible Office official may, in his discretion, extend the period specified in the notice.

(2) In the absence of a showing of compliance or of good cause why the assistance should not be suspended, at the expiration of the warning period referred to in subparagraph (1) of this paragraph, the responsible Office official is authorized to suspend assistance in whole or in part. Notice of suspension shall be promptly given to the recipient by letter or by telegram and shall specifically advise the recipient of the effective date of the suspension and the extent of any partial suspension. The notice shall also forbid the recipient to make any new expenditures or incur any new obligations in conection with the suspended portion of the program. Expenditures based upon legally enforceable obligations made in good faith, and not in anticipation of suspension or termination, prior to the notice of suspension shall not be considered new expenditures.

(3) The notice of suspension shall state the period of suspension which shall not exceed 21 days unless, during such period, termination proceedings are instituted in accordance with paragraph (b) of this section, or unless the parties agree to a continuance of the suspension for an additional specific period.

(4) If, in the judgment of the responsible Office official, summary action is required to prevent serious and substantial loss to the Office, or other irreparable harm, the responsible Office official may, in writing or by telegram, suspend assistance immediately without complying with the procedures established by this paragraph. In such case, the period of suspension shall not exceed 7 days unless termination proceedings are instituted in accordance with paragraph (b) of this section, or unless the parties agree to a continuance of the suspension for an additional specific period.

(b) *Termination.* (1) If the responsible Office official believes that the failure to comply is sufficiently serious to warrant termination of assistance, whether or not assistance has been suspended, he shall so advise the recipient in writing or by telegram. The notice shall state that the Office intends to terminate assistance, the specific reasons therefor, and shall either (i) fix a date not more than 30 days from the date of such notice within which the recipient may request of the responsible Office official that the matter be scheduled for hearing, or (ii) advise the recipient that the matter has been set down for hearing at a stated time and place, in accordance with § 1009.5.

(2) Hearings shall be scheduled for the earliest practicable date and consideration shall be given to a request by the recipient to advance the date of a hearing scheduled by the Office.

(3) A recipient may waive a hearing and submit written information and argument for the record. The failure of a recipient to request a hearing, or to appear at a hearing for which a date has been set, unless excused for good cause, shall be deemed a waiver of the right to a hearing and consent to the making of a decision on the basis of such information as is available.

(4) The responsible Office official shall attempt, either personally or through a representative, to negotiate with the recipient and to resolve the issues in dispute by informal means prior to the date of hearing.

(5) Any order suspending assistance shall remain in full force, notwithstanding the fact that the recipient has requested a hearing, or a hearing date has been fixed by the Office. However, the responsible Office official may rescind or stay such order, if and to the extent that he believes that such action is warranted. In the event such order is fully rescinded or stayed, the responsible Office official may postpone the hearing to such later date as is reasonable under the circumstances.

§ 1009.5 Time and place of hearing.

Hearings shall be held in Washington, D.C., or in the appropriate Regional Office, at a time and place fixed by the responsible Office official, or his designee, unless he determines that the convenience of the Office, or of the parties or their representatives, requires that another place be selected.

§ 1009.6 Right to counsel.

In all proceedings under this section, whether formal or informal, the recipient and the Office shall have the right to be represented by counsel, or other authorized representatives.

§ 1009.7 Hearing procedures.

(a) *General.* The hearing, decision, and any review thereof shall be conducted in accordance with the rules of procedure set forth in this section, and § 1009.8, relating to the conduct of the hearing, giving of notices subsequent to those provided for in § 1009.4(b)(1), taking of testimony, exhibits, arguments, briefs, decisions, and other related matters. Both the Office and the recipient shall be entitled to introduce evidence on the issues as stated in the notice of hearing or as framed at a prehearing conference, or as agreed to by the parties.

(b) *Presiding officer.* The presiding officer at a hearing shall be the responsible Office official or, at his discretion, a designee (including a hearing examiner designated in accordance with section 11 of the Administrative Procedure Act) who has not personally participated in the matter. The presiding officer shall conduct a fair hearing, avoid delay, maintain order, and make a sufficient record for a full and true disclosure of the facts at issue. To accomplish these ends, the presiding officer shall have all powers authorized by law, and he may make all procedural and evidentiary rulings necessary to the conduct of the hearing.

(c) *Participation.* (1) The presiding officer may permit the participation in the proceeding of such persons as he deems necessary for a proper determination of the issues involved. Such participation may be limited to those issues or activities which the presiding officer believes will meet the needs of the proceeding, and may be limited to the filing of papers, motions or other documents.

(2) Any person who wishes to participate in a proceeding shall file a petition within 10 days after the notice of suspension or proposed termination has been received by the recipient requesting permission to participate. Such petition shall state (i) petitioner's interest in the proceeding; (ii) the evidence or arguments petitioner intends to contribute, and (iii) the necessity for the introduction of such evidence or arguments.

(3) The presiding officer shall, within 10 days after a petition for participation is received, permit or deny such participation and shall give notice of his decision to the petitioner and the recipient and, in the case of denial, a brief statement of the reasons therefore: *Provided however,* That the presiding officer may subsequently permit such participation if, in his opinion, it is warranted by the circumstances. If participation is granted, the presiding officer shall notify all parties of that fact and may, in appropriate cases, include in the notification a brief statement of the issues as to which participation is permitted.

(4) Permission to participate to any extent is not a recognition that the participant has any interest which may be adversely affected or that the participant may be aggrieved by any decision, but is allowed solely for the aid and information of the presiding officer.

(d) *Filing.* All papers and documents which are filed pursuant to these rules will be filed in triplicate with the responsible Office official. Prior to filing, copies shall be served on the other parties.

(e) *Form of papers and documents.* All papers and documents filed or served will show the matter to which the papers relate, the number designated on the notice of suspension, or proposed termination, the date filed or served, the nature of the paper or document, and the name of the submitting party or person. The original of all papers and documents filed or served shall be signed in ink by the appropriate party or his authorized representative.

(f) *Date of service of filing.* The date of service or filing shall be the day on which the papers or documents are deposited, postage prepaid, in the U.S. mail, or are delivered in person: *Provided, however,* That the date of service of the initial notice of suspension shall be the date of its delivery, or attempted delivery if delivery is refused.

(g) *Prehearing conferences.* The presiding officer, prior to the commencement of a hearing, may request the parties to meet with him or correspond with him concerning the settlement of any matter which will expedite a quick and fair conclusion to the hearing.

(h) *Official notice.* Official notice may be taken of a public document, or part thereof, such as a statute, official report, decision, opinion, or published scientific data issued by any branch of the Federal or a State government and such document or data may be entered on the record without further proof of authenticity. Official notice may also be taken of such matters as may be judicially noticed by the courts of the United States, or any other matter of fact of established character peculiarly within the general knowledge of the Office. When an agency decision rests on official notice of a material fact not appearing in evidence in the record, a party is entitled on timely request to an opportunity to show the contrary.

(i) *Evidence.* Technical rules of evidence shall not apply to hearings conducted pursuant to this part, but the presiding officer shall apply rules or principles designed to assure production of credible evidence and to subject testimony to test by such cross-examination as may be required for a full and true disclosure of the facts. The hearing officer may exclude irrelevant, immaterial, or unduly repetitious evidence. All documents and other evidence taken for the record shall be open to examination by the parties and opportunities shall be given to refute facts and arguments advanced on either side of the issues. A transcript shall be made of the oral evidence unless dispensed with by stipulation. All decisions shall be based upon the hearing record or facts of which official notice may be taken, and written findings shall be made.

(j) *Waiver of rules.* Upon notice to all parties, or, in the interests of justice to the recipient, without notice, the presiding officer may, with respect to matters pending before him, modify or waive any rule in this part if he determines that no party will be unduly prejudiced and the ends of justice will thereby be served.

§ 1009.8 Decisions and notices.

(a) If the hearing is held by a person other than the responsible Office official, he shall make an initial decision, and a copy of such initial decision shall be mailed to the recipient. Either party may, within 30 days of the mailing of such notice of initial decision, or such time as the presiding officer specifies, file with the responsible Office official his exceptions to the initial decision, and any supporting brief or statements. Upon the filing of such exceptions, the responsible Office official shall review the decision and issue his own decision thereon, including the reasons therefor. In the absence of exception the initial decision shall constitute the final decision of the responsible Office official.

(b) Whenever a hearing is waived, a decision shall be made by the responsible Office official on the record, and a copy of the final decision of the responsible Office official shall be given in writing to the recipient.

(c) Each decision of a presiding officer shall set forth his ruling on each finding, conclusion, or exception presented, and shall identify the requirement or requirements with which it is found that the recipient has failed to comply.

(d) Any final decision of a responsible Office official (other than the Director) which provides for the continued suspension or termination of assistance, shall promptly be transmitted to the Director, who may approve such decision, may vacate it, or may remit or mitigate any sanction imposed. The Director shall not be required to hold a hearing, or to allow the filing of additional briefs or arguments. Failure of the Director to act within 10 days from receipt of such decision shall be deemed an approval of such decision. The decision of the Director shall be final and not reviewable.

(e) The final decision may provide for continued suspension or termination of assistance to the recipient in whole or in part, and may contain such terms, conditions, and other provisions as are consistent with and will effectuate the purposes of the Act.

§ 1009.9 Other remedies.

The procedure established in this part shall not preclude the Office from pursuing any other remedies authorized by law, including (a) a reference to the Department of Justice, with a recommendation that appropriate proceedings be brought to enforce any rights or powers of the United States under any law of the United States, or any legally enforceable undertaking or agreement, and (b) any applicable proceeding under State or local law.

Effective date. These regulations shall become effective as of the 30th day following the date they are published in the FEDERAL REGISTER.

Dated: June 27, 1967.

SARGENT SHRIVER,
Director,
Office of Economic Opportunity.

[F.R. Doc. 67-7568; Filed, July 3, 1967; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[2d Rev. S.O. 975; Amdt. 4]

PART 195—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a general session of the Interstate Commerce Commission held in Washington, D.C., on the 27th day of June A.D. 1967.

Upon further consideration of Second Revised Service Order No. 975 (31 F.R. 6058, 7806, 16363) and good cause appearing therefor:

It is ordered, That:

Section 195.975 *Service Order No. 975* (Railroad operating regulations for freight car movement) Second Revised Service Order No. 975 be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., November 18, 1967, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1967.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this amendment to Second Revised Service Order No. 975 shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-7643; Filed, July 3, 1967; 8:52 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MISSOURI

MINGO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Mingo National Wildlife Refuge, Puxico, Mo., is permitted only on the area designated by signs as open to hunting. This open area, comprising 4,000 acres, is delineated on maps available at refuge headquarters, Puxico, Mo., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) Hunting with bows and arrows only is permitted.

(2) The open season for hunting deer on the refuge is from October 1 through December 15, 1967, inclusive.

(3) A Federal permit is required to enter the public hunting area. It may be obtained by applying in person at refuge headquarters, Puxico, Mo., between the hours of 8 a.m. and 4:30 p.m. any day of the week between August 25 through September 25, inclusive. No permits will be issued after September 25.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 15, 1967.

JOHN E. TOLL,
Refuge Manager, Mingo National Wildlife Refuge, Puxico, Mo.

JUNE 21, 1967.

[F.R. Doc. 67-7564; Filed, July 3, 1967; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1067, 1102]

[Docket Nos. AO–222–A21, AO–237–A15]

MILK IN OZARKS AND FORT SMITH, ARK., MARKETING AREAS

Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fayetteville, Ark., on November 2, 1966, pursuant to notice thereof issued on October 11, 1966 (31 F.R. 13395). The hearing was subsequently reopened on November 15, 1966, at St. Louis, Mo., pursuant to a notice issued November 4, 1966 (31 F.R. 14406). The hearing was further reopened with respect to Fort Smith only on January 26, and February 13, 1967, at Kansas City, Mo., pursuant to notices issued January 16, 1967 (32 F.R. 613), and February 2, 1967 (32 F.R. 2573), for the limited purpose of considering Class I prices and on February 28, 1967, at St. Louis, Mo., pursuant to a notice issued January 24, 1967 (32 F.R. 1042), only with respect to inclusion of Baxter, Carroll, Fulton, Izard, Madison, Newton, Searcy, and Stone Counties, Ark., in the proposed merged Ozark-St. Louis marketing area.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on May 22, 1967 (32 F.R. 7631; F.R. Doc. 67–5834), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (32 F.R. 7631; F.R. Doc. 67–5834) are hereby approved and adopted as if set forth in full herein subject to the following modification:

Under Issue No. 2, "Fort Smith marketing area" a new paragraph is added immediately after the fifth paragraph.

The material issues on the record of the hearing relate to:

1. A special Class I price for milk disposed of by Ozarks handlers in the Fort Smith marketing area or to Fort Smith handlers.

2. Definition of the Fort Smith marketing area.

3. Definition of the Ozarks marketing area.

4. Location differentials in the Fort Smith order.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Class I price for milk disposed of by Ozarks handlers in the Fort Smith marketing area.* The proposal to apply a special price to Ozarks order milk disposed of in the Fort Smith marketing area is denied. Such pricing would not reflect economic conditions affecting supply and demand for such milk.

Cooperative associations proposed that the price for Class I milk disposed of by Ozarks handlers in the Fort Smith marketing area be increased to equal the Fort Smith order Class I price less cost of transportation from the plant of origin. While the details of this proposal would provide minor variations, depending on the method of handling the milk, the essential effect would be the same.

Proponents explained their belief in the need for such pricing on the basis of the competitive situation between Fort Smith and Ozarks order handlers. A Fort Smith handler complained that he is losing Class I sales to Ozarks order handlers both inside and outside the Fort Smith marketing area because of the lower Ozarks order price. The proposal was intended to raise the cost of Ozarks order Class I milk sold in Fort Smith, or sold to Fort Smith handlers, to equal the cost of Class I milk under the Fort Smith order.

The merits of the cooperative associations' proposal must be judged within the context of the statutory requirement of establishing milk prices which will assure an adequate supply of pure and wholesome milk for the market.

Milk supplies and Class I use under Fort Smith order. The quantity of milk regulated under the Fort Smith order is small relative to the quantity of milk regulated under orders in surrounding markets. The two handlers regulated by the order are supplied by the Central Arkansas Milk Producers Association which also serves the Central Arkansas market. The association is able to arrange milk deliveries from members so that deliveries are closely related to handler needs in each market. The quantity of milk delivered to the Fort Smith handlers averaged 4 million pounds monthly in 1965 and 3.8 million pounds monthly in 1966. Total milk delivered to handlers in both the Fort Smith and Central Arkansas markets averaged 17.7 million pounds monthly in 1965 and 18.9 million pounds in 1966.[1]

Class I disposition by Fort Smith handlers has been variable. The most recent trend of Class I disposition by Fort Smith handlers has been towards a lower level than in previous periods. A review of changes since the beginning of 1964 shows that about the same annual level was maintained during the 1964–65 2-year period, that monthly Class I disposition increased in the first 6 months of 1966 over the year before, and decreased in the last 6 months of 1966. Class I disposition in October, November, and December 1966 averaged about 14 percent less than in the same annual quarter 1 year before.

Competition from other markets. Competition for Class I disposition in the Fort Smith market and surrounding areas was the principal concern of producers and handlers at this hearing. Losses or gains in handlers' sales may be examined in terms of sales inside and outside the marketing area.

Fort Smith handlers' Class I disposition in the marketing area averaged about 1.9 and 1.8 million pounds monthly, in 1964 and 1965, respectively. In 1966, record data show in-area disposition for only the first 9 months. In the first 6 months, in-area Class I disposition averaged only slightly lower than in the same months the year before. Any substantial loss of sales would need to be judged by the last 3 months of record data, July, August, and September, in which in-market disposition by Fort Smith handlers was about 18 percent below a year previous. Out-of-area Class I disposition (about one-half of handlers' sales), however, remained about the same as in 1965.

The competitive situation is significantly affected by sales of handlers regulated under other orders. The Fort Smith market is within the perimeter of sales areas of plants regulated under the Central Arkansas, Ozarks, and Oklahoma Metropolitan markets.

Disposition of other order handlers in the marketing area has been highly variable, ranging from about 250,000 to 850,000 pounds in individual months since the first of 1964. Average monthly disposition in 1964 was about 52C,000 pounds, and in 1965, about 430,000 pounds. In the first 9 months of 1966 the average was about 635,000 pounds. In August 1966, the month of highest other order disposition, such sales amounted to 34.9 percent of in-area sales.

Since other order handlers provide a large proportion of the fluid milk sold in the Fort Smith marketing area and surrounding areas, such other order milk is a significant part of the supply situation. The availability of such other order milk and the price and other costs involved in bringing it to the market, are among the factors required to be considered in establishing the proper price

[1] Official notice is taken of market information published by the market administrator for the Fort Smith and Central Arkansas markets for the period 1964 through 1966.

needed to assure an adequate supply for this market.

The greater share of the other market disposition in and around the Fort Smith marketing area is by Ozarks order handlers. About 23 percent of the fluid milk sales in five counties surrounding the marketing area are made by Ozarks handlers.[2] For this reason, Ozarks order milk is an important influence in determining the price at which an adequate supply is obtainable for the Fort Smith market.

Ozarks milk supply and sales. The total producer milk supply in the Ozarks market increased to about 29.1 million pounds monthly in 1966 compared to 23.7 million pounds monthly in 1965.

Also, in relation to Class I sales of handlers, there was relatively more Ozarks producer milk under the order than in the prior year. During October, November, and December 1966, Class I use of producer milk was 74.6, 76.0, and 65.1 percent, respectively, compared to 84.0, 80.6, and 79.1 percent in the prior year.

Ozarks order plants which dispose of Class I milk in and around the Fort Smith marketing area are located in Fayetteville, Ark., and Springfield, Mo. It is clear, therefore, that the more ample milk supply in Southwest Missouri is a factor in the supply situation for the Fort Smith market, as well as the producer milk supply on the Fort Smith market.

The existence of this alternative supply for the Fort Smith market is particularly significant because of the price relationship of the two markets. During 1966 the Ozarks order Class I price ($4.98) averaged $0.93 per hundredweight less than the Fort Smith order Class I price ($5.91). Inasmuch as the distance from Fort Smith to Springfield, Mo., is about 177 miles, the cost of transportation, reckoned at 1.5 cents per 10 miles, would be about 27 cents. Thus, the effective price difference for milk moved from Springfield, Mo., to Fort Smith was about $0.66 per hundredweight. While the Ozarks order price at Fayetteville, Ark., is 25 cents higher than at Springfield, the transportation figure to Fort Smith (about 9 cents) is less, resulting in an effective price difference of about 59 cents per hundredweight.

Effects of proposal. The proposal to amend the Ozarks order would establish a price for Class I milk sold in the Fort Smith area significantly higher than the price at which Ozarks area milk is available under actual supply and demand conditions. Also the proposal would insulate the Fort Smith supply-demand situation from the supply-demand situation in the Ozarks area. As a result, the proposed pricing technique would not truly reflect supply and demand conditions in either market.

In the Fort Smith market, the proposed pricing technique would obscure the demonstrated availability of alternative milk supplies from the Ozarks area at a lesser price than the existing Fort Smith Class I price. The availability of such less expensive supply from another market is particularly significant in this case, since the Fort Smith market is small relative to the other market. Further, the other market has quantities of reserve milk which conceivably could displace all present supplies of producer milk on the Fort Smith market. One of the Fort Smith handlers testified that he was able to arrange for a full supply of milk from sources outside the Fort Smith area.

In the Ozarks market, the proposed pricing would result in a certain portion of the milk being charged to handlers at a price higher than necessary to obtain an adequate supply for the market. The Ozarks market is amply supplied at the existing Class I price level, and accordingly a higher level for all or any portion of the milk would not be reflective of supply and demand conditions.

Producer representatives in the Fort Smith market placed reliance on the contention that the Fort Smith Class I price had been determined by the Department to be the correct price to obtain a supply of milk for that market. They argued that accordingly such price should apply to all milk sold in the market. They pointed out that the State of Arkansas is a deficit area producing less milk than is sold for fluid purposes.

Such argument, however, overlooks the consideration that changes in marketing conditions should be recognized in establishing the appropriate Class I price level. The influx of increased quantities of milk from less expensive sources is a significant change in conditions.

Under some circumstances, the Class I price in a market subject to competition from a lower priced market would adjust automatically through a supply-demand adjustor. While there is a supply-demand adjustor in this market, it is more largely affected by circumstances in the Central Arkansas and Memphis markets than by the situation in the Fort Smith market. This is because the volumes of milk receipts and Class I disposition included in the supply-demand adjustment computation are very largely milk regulated under the Central Arkansas and Memphis orders.

It is concluded that the proposal to price Ozarks order milk at the Fort Smith order Class I price, if sold in the Fort Smith marketing area, should be denied because such pricing would fail to reflect economic conditions effecting supply and demand for such milk.

While the situation complained of by proponents does not justify adoption of their proposal, it may indicate need to review the appropriateness of the existing price level in Fort Smith. The notice of hearing and the record, however, do not provide a basis for dealing with this question.

2. *Fort Smith marketing area.* No change should be made at this time in the Fort Smith marketing area.

The notice of hearing contained a proposal to add 11 Arkansas counties to the Fort Smith marketing area. At the hearing, producer associations modified their proposal to include only the seven counties of Crawford, Franklin, Johnson, Logan, Scott, Sebastian, and Yell. No testimony was presented in support of adding Benton, Boone, and Washington Counties (presently part of the Ozarks marketing area) or Madison and Carroll Counties to the Fort Smith marketing area.

Within the area proposed to be regulated, most of the milk sold is now regulated under the Fort Smith order and other Federal milk orders. There is, however, one unregulated handler located at Paris, Ark., who would become regulated if the Fort Smith marketing area were expanded to include any one of the counties of Franklin, Logan, or Johnson.

Proponents did not show, however, that any serious problem of disorderly marketing exists in any of the counties proposed to be added to the Fort Smith marketing area. The concern about the operations of the handler presently unregulated pertained to his selling prices, but no information was given as to the prices he pays dairy farmers. In any event, his sales constitute a relatively minor percentage of total milk disposed of in any of the counties proposed for inclusion in the Fort Smith marketing area.

The question of proper regulation in this area has significance beyond the relationship of the proposed counties to the present Fort Smith market. Handlers under other orders, principally Ozarks, have substantial sales in these proposed counties. Further, much of the adjoining area to the north is involved in the proposed merger of the Ozarks and St. Louis orders on which decision is pending. The proper delineation of marketing areas in this region thus may well be affected by considerations beyond this record. Since this record does not contain urgent or compelling reasons for extension of the Fort Smith marketing area, no action is taken on this issue.

An exceptor argued that marketing conditions justify inclusion of the seven Arkansas counties (Crawford, Franklin, Johnson, Logan, Scott, Sebastian and Yell) in the marketing area. The record evidence exceptor relies on, however, relates to a handler at Batesville, Ark., who does not sell in the seven counties.

3. *Ozarks marketing area.* A handler proposed that the Ozarks marketing area be extended to include Baxter, Carroll, Fulton, Izard, Madison, Newton, Searcy, and Stone Counties, all in the State of Arkansas. In view of the reopening of this issue by the notice of hearing issued January 24, 1967, on proposed amendments to merge the St. Louis, Mo., and Ozarks milk orders, action regarding these eight counties is deferred.

4. *Location adjustments.* Location differentials should be incorporated in the order to apply to the Class I and uniform prices for milk received at plants located more than 50 miles from the county courthouse in Fort Smith.

Location adjustments have not applied under the Fort Smith order. As noted previously, Class I sales are made in the marketing area by plants at a con-

[2] Crawford, Franklin, Logan, Scott, and Sebastian.

siderable distance from the market. Presently such plants are regulated under other orders where location adjustments apply. If a plant located more than 50 miles from Fort Smith became regulated under the Fort Smith order as a result of changes in operations, a location adjustment should apply on Class I milk priced at the plant to allow for the cost of moving the milk to the marketing area.

Class I milk products, because of their bulky, perishable nature, incur a relatively high transportation cost if such products or the milk used to produce them are moved considerable distances. Milk delivered directly by farmers to plants in or near the urban centers in the defined marketing area, therefore, is worth more to a handler than milk which is received from farmers at a plant located many miles from the market. This is so because in the latter instance, the handler must incur the additional cost of moving that milk to the central market. Under these conditions, the value of producer milk delivered to plants located some distance from the market is reduced in proportion to the distance (and the cost of transporting such milk) from the point of receipt to the market. Providing location differentials based on the cost of moving milk to the market will insure uniform pricing to Fort Smith handlers regardless of the location where the milk is procured.

For milk received from producers at a plant located more than 50 miles by the shortest highway distance, as determined by the market administrator, from the county courthouse in Fort Smith, Ark., the Class I price should be reduced 1.5 cents for each 10 miles or fraction thereof that such plant is distant from the county courthouse in Fort Smith, Ark. Milk can move efficiently from farms to approved plants located within the area in which no location differential would be applicable.

The location differential rates herein proposed are economically sound and representative of the cost of transporting milk to market by efficient means. Also, they are compatible with those effective under other nearby Federal milk orders.

Uniform prices paid producers supplying plants at which location differentials apply should likewise be adjusted to reflect the value of milk f.o.b. the point to which delivered.

To insure that milk will not be moved unnecessarily at producers' expense, the order should contain a provision to determine whether milk transferred between plants may receive the Class I location differential credit. For the purpose of calculating such location differential credit, the skim milk and butterfat in fluid milk products transferred in bulk should be assigned to Class I disposition at the transferee plant which is in excess of the sum of receipts at such plant from producers and the pounds assigned as Class I to receipts from other order plants and unregulated supply plants. The assignment of milk transferred in bulk would be made in sequence according to the location differential applicable at each plant, beginning with the plant nearest the county courthouse in Fort Smith, Ark.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, the exception received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with the exception, such exception is hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed thereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Fort Smith, Ark., Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Fort Smith, Ark., Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of April 1967 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Fort Smith, Ark., marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on June 28, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Fort Smith, Ark., Marketing Area

§ 1102.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Fort Smith, Ark., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act.

(2) The parity prices of milk, as determined pursuant to section 2 of the

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing order have been met.

Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Fort Smith, Ark., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on May 22, 1967, and published in the FEDERAL REGISTER on May 25, 1967 (32 F.R. 7631; F.R. Doc. 67-5834), shall be and are the terms and provisions of this order and are set forth in full herein.

1. In § 1102.51, the introductory text preceding paragraph (a) is revised to read as follows:

§ 1102.51 Class prices.

Subject to the provisions of §§ 1102.52 and 1102.54, the minimum prices per hundredweight to be paid by each handler for milk received at his plant from producers during the month shall be as follows:

* * * * *

2. Add a new § 1102.54 to read as follows:

§ 1102.54 Location adjustment to handlers.

(a) For milk received from producers at an approved plant located more than 50 miles by the shortest highway distance, as determined by the market administrator, from the county courthouse in Fort Smith, Ark., which is classified as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section, the price computed pursuant to § 1102.51(a) shall be reduced at the rate of 1.5 cents for each 10 miles or fraction thereof that such plant is distant from the county courthouse in Fort Smith, Ark.; and

(b) For purposes of calculating such adjustment, transfers of fluid milk products between approved plants shall be assigned to Class I disposition at the transferee plant which is in excess of the sum of receipts at such plant from producers and the pounds assigned as Class I to receipts from other order plants and unregulated supply plants. Such assignment is to be made first to transferor plants at which no location adjustment credit is applicable and then in sequence beginning with the plant at which the least location adjustment would apply.

3. Section 1102.60 is revised to read as follows:

§ 1102.60 Producer-handlers.

Sections 1102.40 through 1102.46, 1102.50 through 1102.54, 1102.70 through 1102.72, 1102.80 through 1102.86, and 1102.90 through 1102.93 shall not apply to a producer-handler.

4. Section 1102.71 is revised to read as follows:

§ 1102.71 Computation of uniform prices for handlers.

For each of the months of August through February, the market administrator shall compute for each handler a uniform price per hundredweight for milk of 3.5 percent butterfat content received from producers as follows:

(a) Adjust the amount computed pursuant to § 1102.70 for each one-tenth percent that the average butterfat test of milk received from producers by such handler is less or more than 3.5 percent, an amount computed by multiplying such difference by the butterfat differential computed pursuant to § 1102.81 and multiplying the result by the total hundredweight of milk received from producers;

(b) Add the amount represented by any deductions made for eliminating fractions of a cent in computing the uniform price(s) for such handler for the preceding month;

(c) Add an amount equal to the sum of the deductions to be made for location differentials pursuant to § 1102.86; and

(d) Divide the resulting amount by the total hundredweight of milk received from producers by such handler. The result, less any fraction of a cent per hundredweight, shall be known as the uniform price for such handler for milk of 3.5 percent butterfat content.

5. In § 1102.72, paragraph (a) is revised to read as follows:

§ 1102.72 Computation of the uniform prices for base and excess milk for each handler.

* * * * *

(a) Follow the computations and adjustments provided for in § 1102.71 (a), (b), and (c);

* * * * *

6. In § 1102.80, paragraph (a) is revised to read as follows:

§ 1102.80 Time and method of payment.

* * * * *

(a) On or before the 15th day after the end of the month during which the milk was received, to each producer except as provided in paragraph (c) of this section, at not less than the appropriate uniform price(s) adjusted by the producer butterfat differential computed pursuant to § 1102.81, subject to the location adjustment to producers pursuant to § 1102.86, for all milk received from such producer during the preceding month less the amount of payment made pursuant to paragraph (b) of this section.

* * * * *

7. Add a new § 1102.86 to read as follows:

§ 1102.86 Location differentials to producers.

The uniform price for producer milk received at an approved plant shall be reduced according to the location of the approved plant, at the rates set forth in § 1102.54.

[F.R. Doc. 67-7590; Filed, July 3, 1967; 8:49 a.m.]

[7 CFR Parts 1104, 1132]

[Docket Nos. AO 262-A16, AO 298-A11]

MILK IN RED RIVER VALLEY AND TEXAS PANHANDLE MARKETING AREAS

Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Amarillo, Tex., on June 14, 1967, pursuant to notice thereof issued on June 5, 1967 (32 F.R. 8247).

The material issues on the record of the hearing related to:

1. The in-area Class I sales pooling standard for distributing plants under the Texas Panhandle order.

2. The exclusion under both the Texas Panhandle and Red River Valley orders of Class I sales made under limited term contracts to governmental bases or institutions in determining the order under which a plant should be regulated.

3. The need for emergency action justifying omission of a recommended decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. The Texas Panhandle order should provide that any distributing plant that disposes of a daily average of 10,000 pounds or more of Class I milk on routes or through plant stores to retail or wholesale outlets in the marketing area will qualify as a pool plant if 50 percent or more of such plant's Grade A milk receipts are so disposed of as Class I milk to such outlets either within or without the marketing area. In addition, any plant which disposes of 15 percent of its Grade A receipts to such outlets in the marketing area should continue to be pooled if it meets the 50 percent total disposition requirement.

The Texas Panhandle order presently requires that to be a pool plant under the order a distributing plant shall dispose of 50 percent of its Grade A milk receipts from dairy farmers and from other plants during the month as Class I milk on routes (including routes operated by vendors) or through plant stores to retail and wholesale outlets, and in addition that 15 percent of such receipts are so disposed of to such outlets in the marketing area.

In the notice of hearing the principal cooperative association supplying the market proposed that the 15 percent in-area requirement be reduced to 5 percent. At the hearing, however, this association modified its proposal so that, in addition to the present 15 percent in-area disposition, provision would be made to qualify for pooling any distributing plant meeting the 50 percent total disposition requirement if such plant disposes of at least 10,000 pounds daily average in the marketing area.

Such a provision will provide for pooling a plant with substantial distribution in the Texas Panhandle marketing area, even though such disposition in less than 15 percent of the plants receipts of Grade A milk. The 10,000 pound daily pooling provision could substitute for the 15 percent of receipts standard only for plants with receipts of at least 2 million pounds monthly.

The need shown for such an alternative provision relates to a plant that has been regulated by the Texas Panhandle order since it first became effective in 1955. This handler has regularly qualified for pooling under the present provisions. However, since January and February of this year his receipts of Grade A milk have doubled. These increased receipts have been needed to supply the handler's Class I needs for milk to supply out-of-area military bases under contract. In January and February approximately 26 percent of the Class I sales from this plant were disposed of in the Texas Panhandle marketing area, but in April approximately 13 percent of such sales were in the Texas Panhandle area. The volume of in-area sales in April was approximately the same as in January and February. As a result the handler's plant failed to meet the Texas Panhandle pooling standard in April. Due to the fact that much of the increased out-of-area sales were to military installations in the Austin-Waco marketing area, the plant has been subject to regulation under that order when it failed to meet the Texas Panhandle in-area pooling requirement. Had the plant not become regulated under another Federal order, however, the result would have been that the plant would have been subject to only partial regulation under the Texas Panhandle order, with sales substantially in excess of 10,000 pounds daily. Under such partial regulation, while order provisions could have prevented the handler from having any competitive advantage on his in-area sales, no minimum price to producers would have applied to his out-of-area sales.

Daily route sales of 10,000 pounds would have represented more than four percent of the 4.7 million pounds total in-area sales of all Texas Panhandle handlers during March of this year. A plant with this proportion of the total in-area sales should be a pool plant even though its in-area sales are less than 15 percent of its receipts of Grade A milk. It is therefore concluded that the order should qualify for pooling a distributing plant on the basis of route disposition of either 15 percent of receipts or at least 10,000 pounds daily, whichever is less. No opposition to the proposed alternative pooling standard of 10,000 pounds daily was presented at the hearing, and supporting evidence was given by another cooperative association and by a handler not affected by the proposal. The handler presently affected authorized the proponent cooperative association to testify in his behalf in favor of the proposal.

2. Both the Texas Panhandle and Red River Valley orders should provide that upon written application of a handler the Secretary is authorized to exclude for specified periods of time Class I dispositions to governmental institutions and bases under limited term contracts from consideration in determining the market in which the greater proportion of Class I disposition is made by a distributing plant that qualifies for pooling under more than one order.

These orders now have identical provisions with respect to plants subject to other Federal orders. A distributing plant meeting the pooling standards of one of these orders and another Federal order, and from which plant the Secretary determines that a greater quantity of Class I milk is disposed of on routes in the other order area, is exempt (except for reports and verification), except that if such plant were regulated by either the Texas Panhandle or Red River Valley order in the preceding month it would continue to be regulated by that order until the third month in which sales are greater in the other marketing area. It was proposed that each of these orders be amended so that, in the determination of the marketing area in which the plant has the greater Class I disposition on routes, the Secretary be authorized upon application of a handler to exclude, for specified periods of time, disposition to governmental institutions and bases under limited term contracts.

The same plant to which the findings under issue No. 1 relate, the Kelly Creamery Co. of Elk City, Okla., regularly distributes milk on routes in the Texas Panhandle, Oklahoma Metropolitan, Red River Valley, Lubbock-Plainview, and Rio Grande Valley marketing areas that is not sold under contract to governmental bases and institutions. In addition, this handler bids and frequently secures contracts to serve military installations within these and other Federal order marketing areas.

A provision identical to that proposed for the Texas Panhandle and Red River Valley orders is contained in the order for the Oklahoma Metropolitan marketing area. The Elk City plant presently supplies the Tinker Air Force Base in that area and as a result has disposed of more total milk in the Oklahoma Metropolitan area than in the Texas Panhandle area in recent months. On the basis of an application under this provision of the Oklahoma Metropolitan order, however, sales to military installations have not been used in determining the order to which the plant is to be regulated. Consequently the plant continued to be regulated under the Texas Panhandle order until April 1967 when it began to supply Fort Hood in the Austin-Waco marketing area. The volume of sales to this base were such that (1) more milk was sold in the Austin-Waco area than in any other area, and (2) the additional receipts required for such sales caused the plant to fail to meet the Texas Panhandle pooling requirements so that the 2-month "lock-in" provision presently in the order did not apply. Consequently, the plant has been regulated under the Austin-Waco order for April and May, and presumably will be regulated by that order for June also.

As of July 1, however, the Elk City plant will also begin supplying the Fort Sill, Okla., base located in the Red River Valley marketing area. At the same time, the plant will discontinue supplies to the Tinker Field base in the Oklahoma Metropolitan area, but will continue to supply Fort Hood in the Austin-Waco area. The volume of sales to be furnished under contract to Fort Sill together with the noncontract route sales in the Red River area are expected to result in the largest total Class I disposition of the plant being in the Red River Valley marketing area in July.

Under present order provisions this will result in the Elk City plant being regulated for not only July but also August and September and probably throughout the remaining months of this year under the Red River Valley order. The "lock-in" provision of that order would in any event continue regulation by that order through September on the basis of the expected July sales in the respective areas.

The Austin-Waco order under which the plant is now regulated does not contain such a "lock-in" provision. It does, however, contain a provision whereby a plant which may have more Class I milk disposed of in the Austin-Waco area than in another area, but which is, nevertheless, regulated by such other order, is exempt from the Austin-Waco order. Under this provision the regulation by the Texas Panhandle order on the basis of most sales in that area, exclusive of contract sales, would be recognized by the Austin-Waco order.

The entire milk supply of the Elk City plant is provided by the cooperative association representing a majority of the producers of the Texas Panhandle area. Normally, this is from approximately 100 member producers whose farms are located in the general vicinity of the plant, although milk of other producer members of the association is used to supply the needs of the plant when its sales increase. Shifting of regulation

from order to order has a disrupting effect upon these and other producers supplying the Texas Panhandle order. Under this order, producers establish bases by their deliveries under the order during the months of Setpember through December and are paid on such bases for deliveries in March through June. The farms of producers supplying the Elk City plant are interspersed with farms of producers supplying other plants regulated by the Texas Panhandle area and these producers are accustomed to receiving the same blend prices and having bases formed and used on the same basis as such producers. On the other hand, there is a minimum of intermingling of farms of these producers with those of producers for the Red River Valley market.

The Texas Panhandle market is a relatively small market, and as a consequence the total milk supply for the market is such that the change of regulation of a single large sized plant can have a substantial effect upon the Texas Panhandle pool.

For the months of April through June the cooperative association is in position to ameliorate a considerable portion of the disruptive influences resulting from the Elk City plant being regulated under the Austin-Waco order. That order distributes returns to producers by handler pools. The association is thus in position to reblend the proceeds of the Elk City plant's utilization with those of its producers under the Texas Panhandle order, so that all such producers receive about the same return as though the plant was pooled under the Texas Panhandle order. Further, these months are not ones in which producers are establishing bases. Comparable results cannot be achieved by the cooperative association if the plant is regulated under the Red River Valley order (a market pool order), or in other months, particularly the base-forming months.

Present procurement practices of the Defense Department are for short term (3-month) contracts in most cases rather than the 6- or 12-month contracts that have been used in the past. This provides opportunity for more frequent and consequently more disruptive changes in regulation of plants supplying milk under such contracts.

The handler affected, the producers supplying him, other producers for the market, and another handler all supported the proposal for a means whereby contract sales to governmental institutions and bases could be excluded from the determination of the order under which a plant should be regulated. The proponent cooperative association also represents producers under the Red River Valley order, and the proposal was supported by the other cooperative association representing producers for that market.

The price relationships between the Texas Panhandle, Red River Valley, Austin-Waco, and Oklahoma Metropolitan orders are such that there is a close relationship between Austin-Waco and Texas Panhandle Class I prices at the Elk City location and Texas Panhandle Class I prices are somewhat higher than the Red River Valley and Oklahoma Metropolitan at that location. Therefore, the provisions proposed do not provide a means whereby price advantage could be gained.

It is concluded that the proposal should be adopted. While the general rule that a plant should be subject to the order in which it disposes of the most milk should continue, it is appropriate that provision be made to exclude contract sales to governmental bases or institutions, generally of short-term duration, which may disrupt stability of marketing conditions. The opportunity for such exclusion under circumstances which could disrupt such stability should be available in both the Red River Valley and Texas Panhandle orders to other plants under circumstances similar to those outlined with respect to the Elk City plant. In view of the possibility that other plants may be affected, provisions should be made for consideration of such situations as they occur. The provision as proposed provides for written application at least 15 days before the first day of the month for which it is to be effective. This is appropriate as a means of providing opportunity for proper review of the circumstances involved in arriving at a decision, and to allow any determination made to be known to all interested parties. With respect to the current contracts held in the various marketing areas by the Kelly Creamery Co., however, these purposes have been served by the evidence of the hearing, so that filing 15 days prior to effective date will not be required for consideration of whether such exclusion might apply to determinations for July 1967.

3. *Emergency action.* The due and timely execution of the functions of the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision and opportunity for exceptions thereto. For the reasons stated in connection with the foregoing issues it is necessary that the amendments provided herein be made effective not later than July 1, 1967. The notice of hearing provided opportunity to present evidence concerning need for such omission and no opposition was offered to the evidence presented with respect to the need for such procedure.

It is therefore found that good cause exists for omission of the recommended decision and the opportunity for filing exceptions thereto.

Rulings on proposed findings and conclusions. No briefs or proposed findings and conclusions were filed.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of each of the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreements and the orders as hereby proposed to be amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing areas, and the minimum prices specified in the proposed marketing agreements and the orders, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Red River Valley and Texas Panhandle Marketing Areas" and "Order Amending the Orders, Regulating the Handling of Milk in the Red River Valley and Texas Panhandle Marketing Areas", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of March 1967 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached orders as amended and as hereby proposed to be amended, regulating the handling of milk in the Red River Valley and Texas Panhandle marketing areas is approved or favored by producers, as defined under the terms of each of the orders as amended and as hereby proposed to be amended, and who, during such representative period were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on June 28, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] *Amending the Orders Regulating the Handling of Milk in the Red Valley and Texas Panhandle Marketing Areas*

§ .....0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of each of the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein. The following findings are hereby made with respect to each of such orders.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the above designated marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of milk in the respective hereinafter designated marketing areas shall be in conformity to and in compliance with the terms and conditions of the aforesaid orders, as amended and as hereby further amended, as follows:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

PART 1104—MILK IN THE RED RIVER VALLEY MARKETING AREA

Section 1104.61(a) is revised to read as follows:

§ 1104.61 Plants subject to other Federal orders.

* * * * *

(a) A distributing plant meeting the requirements of § 1104.9 which also meets the pooling requirements of another Federal order and from which, the Secretary determines, a greater quantity of Class I milk was disposed of during the month on routes in such other Federal order marketing area than was so disposed of in this marketing area, except that if such plant was subject to all the provisions of this part in the immediately preceding month, it shall continue to be subject to all the provisions of this part until the third consecutive month in which a greater proportion of its Class I disposition is made in such other marketing area unless, notwithstanding the provisions of this paragraph, it is regulated under such other order. On the basis of a written application made by the plant operator at least 15 days prior to the date for which a determination of the Secretary is to be effective, the Secretary may determine that the Class I dispositions in the respective marketing areas to be used for purposes of this paragraph shall exclude (for a specified period of time) Class I disposition made under limited term contracts to governmental bases and institutions.

* * * * *

PART 1132—MILK IN THE TEXAS PANHANDLE MARKETING AREA

1. Section 1132.10(a) is revised to read as follows:

§ 1132.10 Pool plant.

* * * * *

(a) A distributing plant from which a volume of Class I milk not less than 50 percent of the Grade A milk received at such plant from dairy farmers and from other plants is disposed of during the month on routes (including routes operated by vendors) or through plant stores to retail or wholesale outlets (except pool plants) and not less than 15 percent of such receipts, or an average of not less than 10,000 pounds per day, whichever is less, is so disposed of to such outlets in the marketing area: *Provided,* That if a portion of a plant is physically apart from the Grade A portion of such plant, is operated separately and is not approved by any health authorities for the receiving, processing or packaging of any fluid milk product for Grade A disposition, it shall not be considered as part of a pool plant pursuant to this section.

* * * * *

2. § 1132.61(a) is revised to read as follows:

§ 1132.61 Plants subject to other Federal orders.

* * * * *

(a) A distributing plant meeting the requirements of § 1132.10(a) which also meets the pooling requirements of another Federal order and from which, the Secretary determines, a greater quantity of Class I milk is disposed of during the month on routes in such other Federal order marketing area than was disposed of to retail and wholesale outlets (excluding pool plants) in this marketing area, except that if such plant was subject to all the provisions of this order in the immediately preceding month, it shall continue to be subject to all the provisions of this order until the third consecutive month in which a greater proportion of its Class I disposition is made in such other marketing area unless notwithstanding the provisions of this paragraph it is regulated under such other order. On the basis of a written application made by the plant operator at least 15 days prior to the date for which a determination of the Secretary is to be effective, the Secretary may determine that the Class I dispositions in the respective marketing areas to be used for purposes of this paragraph shall exclude (for a specified period of time) Class I disposition made under limited term contracts to governmental bases and institutions.

* * * * *

[F.R. Doc. 67-7537; Filed, July 3, 1967; 8:45 a.m.]

[7 CFR Part 1127]

MILK IN SAN ANTONIO, TEX., MARKETING AREA

Notice of Proposed Suspension

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provision of the order regulating the handling of milk in the San Antonio, Tex., marketing area is being considered for the months of July and August 1967.

The provision proposed to be suspended is contained in § 1127.11 which reads: "*Provided,* That if the days of production of such person for which milk is diverted exceed one-third of the days of production that milk is delivered to a pool plant during the month, such milk shall cease to be producer milk for the entire period of such diversions.", relating to diversion limitations on producer milk under the order.

This producer milk diversion provision was suspended for the months of April, May, and June 1967 by a suspension order issued May 1, 1967, upon request of cooperative association handlers and other handlers operating pool plants. This suspension was necessary to provide for the orderly disposal of producer milk excess to fluid milk needs by removing a limitation on diversion of such milk to manufactured product uses at nonpool plants. A cooperative association has requested an extension of the suspension of the diversion limitation provision.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on June 30, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67–7652; Filed, July 3, 1967; 8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 73]

BIOLOGICAL PRODUCTS

Mycoplasma Species, Poliomyelitis Vaccine, and Poliovirus Vaccine, Live, Oral; Standards

Notice is hereby given that the Surgeon General proposes to amend Part 73 of the Public Health Service Regulations by revising in several respects the specific standards of safety, purity and potency for Poliomyelitis Vaccine and Poliovirus Vaccine, Live, Oral, and by prescribing the procedure for a test for the presence of *Mycoplasma* which will be required for each pool of virus propagated in living cell cultures.

Inquiries may be addressed, and data, views and arguments may be presented by interested parties, in writing, in triplicate, to the Surgeon General, Public Health Service, 9000 Rockville Pike, Bethesda, Md. 20014. All relevant material received not later than 60 days after publication of this notice in the FEDERAL REGISTER will be considered.

Notice is also given that it is proposed to make any amendments that are adopted effective 60 days after publication in the FEDERAL REGISTER.

1. Add to the table of contents after "73.74 Purity." the following:

Sec.
73.74a Test for *Mycoplasma* species.

2. Add a new § 73.74a to read as follows:

§ 73.74a Test for *Mycoplasma* species.

Prior to clarification or filtration in the case of living cell culture-produced virus vaccines and prior to inactivation in the case of inactivated virus vaccines, each virus pool shall be tested for the presence of *Mycoplasma*, as follows:

Samples of the virus for this test shall be stored either (1) at 2° C. —5° C. for not longer than 24 hours, or (2) at —20° C. or lower if stored for longer than 24 hours. The test shall be performed both on samples of viral harvests and control fluids as follows: No less than 2.0 ml. of a sample shall be inoculated in no less than 0.1 ml. amounts evenly distributed over the surface of 20 agar plates. No less than 1.0 ml. of sample shall be inoculated into each of four tubes of 10 ml. each of broth. Ten agar plates and two tube cultures shall be incubated aerobically at 36° C. ±1° C. and the remaining agar plates and tube cultures shall be incubated anaerobically at 36° C. ±1° C. in an environment of 5 percent CO_2 and 95 percent N_2. The aerobic broth cultures shall be incubated for no less than 3 days and no more than 5 days, at which time 0.5 ml. from each of two tubes shall be combined and that 1.0 ml. subinoculated to 10 additional agar plates. The anaerobic broth cultures shall be tested in the same manner. All inoculated agar plate cultures shall be incubated for no less than 14 days when observation for growth of *Mycoplasma* shall be made at a magnification of no less than 300×. If the Dienes Methylene Blue-Azure dye or equivalent staining procedure is used, no less than a one square cm. plug of the agar shall be excised from the inoculated area and examined for the presence of *Mycoplasma*. Control culture of known strains of *Mycoplasma* shall be included in the test. Identification of the *Mycoplasma* shall be made by comparison of the growth obtained from the test sample with the controls, with respect to typical colonial and microscopic morphology. The virus pool is satisfactory for vaccine manufacture only if none of the tests on the samples of viral harvests show evidence of the presence of *Mycoplasma*.

3. Revise §§ 73.100, 73.101, 73.102, 73.103, 73.104 and 73.105 to read as follows:

ADDITIONAL STANDARDS: POLIOMYELITIS VACCINE

§ 73.100 The product.

(a) *Proper name and definition.* The proper name of this product shall be "Poliomyelitis Vaccine", which shall consist of an aqueous preparation of poliovirus types 1, 2, and 3, grown in monkey kidney tissue cultures, inactivated by a suitable method.

(b) *Strains of virus.* Strains of poliovirus used in the manufacture of vaccine shall be identified by historical records, infectivity tests and immunological methods. Any strain of virus may be used that produces a vaccine meeting the requirements of §§ 73.101, 73.102, and 73.103, but the Surgeon General may from time to time prohibit the use of any specific strain whenever he finds that it is practicable to use another strain of the same type that is potentially less pathogenic to man and that will produce a vaccine of equivalent safety and potency.

(c) *Monkeys: species permissible as source of kidney tissue.* Only Macaca or Cercopithecus monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable, which have met all requirements of § 73.36(f) (2) and (4) shall be used as a source of kidney tissue for the manufacture of Poliomyelitis Vaccine.

§ 73.101 Manufacture.

(a) *Cultivation of virus.* Virus for manufacturing vaccine shall be grown with aseptic techniques in monkey kidney cell cultures. Suitable antibiotics in the minimum concentration required may be used (§ 73.78(c)).

(b) *Filtration.* Within 72 hours preceding the beginning of inactivation, the virus suspensions shall be filtered or clarified by a method having an efficiency equivalent to that of filtration through an S1 Seitz type filter pad.

(c) *Virus titer.* The 50 percent endpoint ($TCID_{50}$) of the virus fluids after filtration shall be 10^7 or greater as confirmed by comparison in a simultaneous test (using groups of 10 tubes at 1 log steps or groups of 5 tubes at 0.5 log steps) with a reference virus distributed by the Division of Biologics Standards. Acceptable titrations of the reference virus shall not vary more than ± 0.5 $\log_{10}$ from its labeled titer using 0.5 milliliter inoculum in tissue culture.

(d) *Inactivation of virus.* The virus shall be inactivated, as evidenced by the tests prescribed in § 73.102, through the use of an agent or method which has been demonstrated to be consistently effective in the hands of the manufacturer in inactivating a series of lots of poliovirus. If formaldehyde is used for inactivation, it shall be added to the virus suspension to a final concentration of U.S.P. solution of formaldehyde of 1:4000, and the inactivation conducted under controlled conditions of pH and time, at a temperature of 36° to 38° C. Three or more virus titers, suitably spaced to indicate rate of inactivation, shall be determined during the inactivation process. Filtration equivalent to that described in paragraph (b) of this section shall be performed after the estimated baseline time (time at which the 50 percent end-point reaches one tissue culture infective dose per milliliter), but prior to sampling for the first single strain tissue culture test required in § 73.102(b), except that this filtration may be omitted for strains of a virulence for monkeys equal to or less than that of the MEF–1 Type 2 strain of poliovirus.

(e) *Additional processing.* Single strain or trivalent pools that have failed to pass safety tests prescribed in § 73.102 (b), (c), or (e) may be treated as follows:

(1) Filtration or clarification by a method having an efficiency equivalent to that of filtration through an S1 Seitz type filter pad.

(2) Negative tests performed as described in § 73.102 (b) and (c) must be obtained on each of two successive samples taken so as to be separated by an interval of at least 3 days while the material is being subjected to treatment with 1:4000 U.S.P. formaldehyde solution and heat at 36° to 38° C. The first sample may be taken before incubation is begun and the second sample shall be taken after the incubation of at least 3 days is completed. For both single strain and trivalent pools the volume tested for each tissue culture safety test shall be equivalent to at least 1,500 human doses.

(3) Pools which are positive following such additional processing shall not be used for the manufacture of poliomyelitis vaccine.

(f) *Supplemental inactivation.* Supplemental inactivation employing a method capable of reducing the titer of a similarly produced virus suspension by a factor of 10^{-7} may be applied at any point after the filtration step described in paragraph (d) or (e)(1) of this section.

§ 73.102 Tests for safety.

In the manufacture of the product, the following tests relating to safety shall be conducted by the manufacturer.

(a) *The virus pool—tests prior to inactivation*—(1) *B virus and Mycobacterium tuberculosis.* Prior to inactivation, each individual virus harvest or virus pool shall be tested for the presence of B virus and Mycobacterium tuberculosis.

(2) *SV–40.* Prior to inactivation, the material shall be tested for the presence of SV–40 as follows (or by any other test producing equally reliable results): A sample of at least 5 ml. from the virus harvest or virus pool shall be neutralized by high titer specific antiserum of other than primate origin. A similar sample from the pool of tissue culture fluids from control vessels representing the tissue from which the virus was prepared may be tested in place of the virus sample. The sample shall be tested in primary cercopithecus tissue cultures or in a cell line demonstrated as at least equally susceptible to SV–40. Each tissue culture system shall be observed for at least 14 days and at the end of the observation period at least one subculture of fluid shall be made in the same tissue culture system and the subculture shall be observed for at least 14 days.

(3) *Test results.* The virus harvest or virus pool is satisfactory for poliomyelitis vaccine only if the tests produce no evidence of the presence of B virus, Mycobacterium tuberculosis or SV–40.

(b) *Single strain pool tissue culture tests for poliovirus.* (1) Before pooling to make the final poliomyelitis vaccine, during inactivation at 36° to 38° C., two samples of each monovalent bulk strain pool shall be tested for the presence of virus by tissue culture methods, the second sample to be taken at least 3 days after taking the first sample.

(2) Each sample shall be no smaller than the equivalent of 1,500 human doses and shall be subjected to the complete testing process and each test shall be performed on a different monkey kidney tissue culture cell preparation. The test sample for one of these tests may be used also for the test prescribed in paragraph (f) of this section, provided the cell cultures used have been demonstrated as fully susceptible to SV–40 and poliovirus. Each sample shall be inoculated into five or more tissue culture bottles of a suitable capacity, the ratio of the vaccine to the nutrient fluid being approximately 1:1 to 1:3, and the area of the surface growth of cells being at least 3 square centimeters per milliliter of sample. The tissue culture bottles shall be observed at least 14 days.

(3) A first subculture shall be made at the end of 7 days from date of inoculation by planting at least 2 percent of the volume from each original bottle into suitable tissue culture vessels, followed by refeeding.

(4) A second subculture shall be made from each original bottle in the same manner at the end of 14 days from date of inoculation.

(5) Each of the first and second subcultures shall be observed for at least 7 days.

(6) If cytopathogenic effects occur either in the original bottles of the two tests or in the subcultures from them, or if cellular degeneration appears in the original bottles or in the subcultures before degeneration occurs in uninoculated cultures, the pool shall be held until the matter is resolved. If active poliovirus is indicated, the strain pool shall not be used for inclusion in a final vaccine unless effectively reprocessed as described in § 73.101(e). If other viruses are present, the pool shall not be used unless it can be demonstrated that such viruses have originated from other than the strain pool being tested.

(c) *Trivalent vaccine pool tissue culture test.* No less than 1,500 human doses of the trivalent vaccine pool, without final preservative, prepared by pooling the three type pools, each of which has passed all tests prescribed in paragraph (b) of this section, shall be subjected to the complete tissue culture test prescribed in such paragraph (b) in at least two approximately equal tests in separate monkey kidney tissue culture preparations. This test sample may be used also for the test prescribed in paragraph (f) of this section provided the cell cultures used have been demonstrated as fully susceptible to SV–40 and poliovirus.

(d) *Trivalent vaccine pool lymphocytic choriomeningitis test.* The final vaccine shall be shown to be free of lymphocytic choriomeningitis virus by intracerebral inoculation of the maximum volume tolerated into 10 or more mice which shall be observed daily for at least 21 days and a negative test shall not be valid unless at least eight mice survive for this period.

(e) *Test in monkeys for active virus.* (1) Vaccine from a sufficient number of final containers selected at random from each filling of each lot shall be pooled to provide a test sample of at least 400 milliliters representing the various fillings. An equal volume of bulk vaccine may be substituted for test samples from each filling lot provided the procedure has been approved by the Director, Division of Biologics Standards.

(2) A total of not less than 20 monkeys shall be inoculated with the test sample. A preinjection serum sample from each monkey must not contain neutralizing antibody against the three poliovirus types detectable in a dilution of 1:4 when tested against not more than 1000 $TCID_{50}$ of virus. At least 80 percent of the test animals representing each filling or each bulk sample must survive the test period without significant weight loss, except that if at least 60 percent of the test animals survive the first 48 hours after injection, those animals which do not survive this 48 hour test period may be replaced by an equal number of test animals. At least 80 percent of the animals used in the test must show microscopic evidence of inoculation trauma in the lumbar region of the spinal cord, and gross or microscopic evidence of inoculation trauma in the thalamic area. If less than 60 percent of the test animals survive the first 48 hours, or if less than 80 percent of the animals fail to meet the other criteria prescribed in this section, the test must be repeated.

(3) Vaccine shall be injected by combined intracerebral, intraspinal, and intramuscular routes into Macaca monkeys or monkeys of another species demonstrated to be equally suitable for the purpose. The animals shall be in overt good health and injected under deep barbiturate anesthesia. The intracerebral injection shall consist of 0.5 milliliter of test sample into the thalamic region of each hemisphere. The intraspinal injection shall consist of 0.5 milliliter of concentrated test sample into the lumbar spinal cord enlargement, the test sample to be concentrated hundredfold in the ultracentrifuge by a method demonstrated to recover at least 90 percent of the virus particles in the sediment after it has been resuspended in the same lot of unconcentrated test sample. The intramuscular injection shall consist of 1.0 milliliter of test sample into the right leg muscles. At the same time, 200 milligrams of cortisone acetate shall be injected into the left leg muscles, and 1.0 milliliter of procaine pencillin (300,000 units) into the right arm muscles. The monkeys shall be observed for 17 to 19 days and signs suggestive of poliomyelitis shall be recorded.

(4) At the end of the observation period, samples of cerebral cortex and of cervical and lumbar spinal cord enlargements shall be taken for virus recovery and identification. Histological sections shall be prepared from both spinal cord enlargements and examined.

(5) Doubtful histopathological findings necessitate (i) examination of a sample of sections from several regions of the brain in question, and (ii) attempts at virus recovery from the nervous tissues previously removed from the animal. The test is considered negative if the histological and other studies leave no doubt that poliomyelitis infection did not occur.

(f) *Tissue culture safety test for SV–40.* At least 500 human doses of each monovalent or trivalent pool of vaccine shall be tested for the presence of SV–40 using primary cercopithecus monkey tissue cultures or using a cell line demonstrated as at least equally susceptible to SV–40. The test shall be conducted as described in paragraph (b)(2) of this section, except that only one subculture of at least 2 percent of the volume of the fluids need be made, provided it is made at least 14 days from the date of inoculation and examined for at least 14 days from the date of subinoculation. The vaccine is satisfactory only if there is no evidence of the presence of SV–40 in any of the cultures or subcultures.

§ 73.103 Potency test.

Each lot of vaccine shall be subjected to a potency test which permits an estimation of the antigenic capacity of the vaccine. This is done by means of a simultaneous comparison of the serum antibody levels produced in monkeys by the vaccine under test with the antibody level of the reference serum distributed by the Division of Biologics Standards. The potency test shall be performed on samples taken after all final processing of the product has been completed, including addition of preservative, except that when the final product contains material having an adjuvant effect an additional test shall be performed with a sample taken before the addition of the adjuvant material. The volume of the test sample for the additional test shall be adjusted to the equivalent volume of poliomyelitis vaccine in the final product. The test shall be conducted as follows:

(a) *Inoculation of monkeys.* A group of 12 or more Macaca monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable for the purpose, shall be used. Animals shall weigh between 4 and 8 pounds and shall be in overt good health. Animals that become ill and remain ill during the course of immunization shall be excluded from the group. The test shall not be valid unless at least 10 animals survive the test period and meet the pre-inoculation serum antibody levels prescribed in paragraph (d) of this section. The test vaccine shall be given intramuscularly to each monkey in 3 doses at 7-day intervals, each dose to be the recommended individual human dose. Only undiluted vaccine shall be used.

(b) *Serum samples.* A blood sample shall be taken from each monkey prior to vaccination and then again 7 days after the last injection. Serum shall be separated aseptically, and stored under refrigeration.

(c) *Serum-virus neutralization test.* The titers of individual monkey serums shall be determined in comparison with the reference serum in tests designed to include controls for all the variables of significance including the following:

(1) Serum toxicity control;

(2) Cell control and cell titration;

(3) Virus titration control (at least 4 tubes for each dilution at 0.5 log steps); and

(4) Serum controls using type-specific serums to identify the type of virus used in the neutralization test.

(d) *Interpretation of the test.* Animals showing pre-inoculation titers of 1:4 or over when tested against not more than 1,000 $TCID_{50}$ of virus, shall be excluded from the test. The geometric mean titer of antibody induced in the monkeys surviving the course of immunization and bleeding, shall be calculated. A comparison of the value so obtained shall be made with the value for the reference serum that was tested simultaneously and expressed as the ratio between the geometric mean titer value of the serums under test and the mean titer value of the reference serum.

(e) *Potency requirements.* A lot of vaccine tested against the reference serum shall be satisfactory if the geometric mean value of the group of individual monkey serums representing the lot of vaccine tested is at least 1.29 times the mean value of the reference serum for type 1, at least 1.13 times for type 2, and at least 0.72 times for type 3.

§ 73.104 General requirements.

(a) *Consistency of manufacture.* No lot of final vaccine shall be released unless it is one of a series of five consecutive lots produced by the same manufacturing process, all of which have shown negative results with respect to all tests for the presence of live poliovirus, and unless each of the monovalent pools of which a polyvalent final vaccine is composed similarly is one of a series of five consecutive monovalent pools of the same type of inactivated poliovirus, all of which have shown negative results in all tests for the presence of live poliovirus.

(b) *Dose.* These additional standards are based on a human dose of 1.0 milliliter for a single injection and a total human immunizing dose of three injections of 1.0 milliliter given at appropriate intervals.

(c) *Samples and protocols.* For each lot of vaccine, the following material shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda, Md. 20014:

(1) A 2,500 milliliter sample, neutralized, not dialyzed, and without final preservative, taken at the latest possible stage of manufacturing before the addition of such preservative.

(2) A 200 milliliter bulk sample of the final vaccine containing final preservative.

(3) A total of not less than a 200 milliliter sample of the final vaccine in final labeled containers.

(4) All protocols relating to the history of manufacture of the lot and all results of all tests prescribed in these additional standards.

§ 73.105 Equivalent methods.

Modification of any particular manufacturing method or procedure or the conditions under which it is conducted as set forth in the additional standards relating to poliomyelitis vaccine (§§ 73.100 to 73.104, inclusive) shall be permitted whenever the manufacturer presents evidence to demonstrate that such modification will provide equal or greater assurances of the safety, purity and potency of the vaccine as the assurances provided by such standards, and the Surgeon General so finds and makes such a finding a matter of official record.

4. Revise §§ 73.110, 73.111, 73.112, 73.113, 73.114, 73.115, 73.116, 73.117 and 73.118 to read as follows:

ADDITIONAL STANDARDS: POLIOVIRUS VACCINE, LIVE, ORAL

§ 73.110 The product.

(a) *Proper name and definition.* The proper name of this product shall be "Poliovirus Vaccine, Live, Oral", followed by a designation of the form in which the vaccine is distributed by the manufacturer. The vaccine shall be a preparation of one or more live, attenuated polioviruses grown in monkey kidney cell cultures, prepared in a form suitable for oral administration.

(b) *Criteria for acceptable strains and acceptable seed virus.* (1) Strains of attenuated poliovirus Types 1, 2, and 3 used in the manufacture of the vaccine shall be identified by: (i) Historical records including origin and techniques of attenuation, (ii) antigenic properties, (iii) neurovirulence for monkeys, (iv) pathogenicity for other animals and tissue cultures of various cell types, and (v) established virus markers including rct/40, d, and other markers shown to be associated with strain virulence.

(2) Poliovirus strains shall not be used in the manufacture of Poliovirus Vaccine, Live, Oral, unless, (i) data are submitted to the Surgeon General which establish that each such strain is free of harmful effect upon administration in the recommended dosage to at least one million people susceptible to poliomyelitis, under circumstances where adequate epidemiological surveillance of neurological illness has been maintained, and, (ii) each such strain produces a vaccine meeting the safety and potency requirements of §§ 73.114(b), 73.115, and 73.117. Susceptibility shall be demonstrated by blood tests, stool examinations and other appropriate methods.

(3) Each seed virus used in manufacture shall be demonstrated to be free of extraneous microbial agents.

(4) No seed virus shall be used for the manufacture of poliovirus vaccine unless its neurovirulence in Macaca monkeys is no greater than that of the Reference Attenuated Poliovirus distributed by the Division of Biologics Standards. The neurovirulence of the seed virus shall be demonstrated by the following tests to be performed by the manufacturer: (i) The test prescribed in § 73.114(b)(1) using seed virus as test material in place of monovalent virus pool material and (ii) the following comparative intramuscular neurovirulence test: Each of at least 10 monkeys shall be injected with a total of 5.0 ml. of the seed virus under test in one or more proximate locations of either a gluteus or gastrocnemius muscle. Similar injections shall be made in another group of 10 monkeys using the Reference Attenuated Poliovirus. Each monkey shall be injected intramuscularly with no less than $10^{7.7}$ $TCID_{50}$ of viral inoculum. All monkeys shall be observed for 17 to 21 days and a comparative evaluation shall be made of the evidence of neurovirulence of the virus under test and the Reference Attenuated Poliovirus, as prescribed in § 73.114(b)(1)(iii).

(5) Subsequent and identical neurovirulence tests shall be performed in monkeys whenever there is evidence of a change in the neurovirulence of the production virus, upon introduction of a new production seed lot, and as often as necessary otherwise to establish to the satisfaction of the Surgeon General that the seed virus strains for vaccine manufacture have maintained their neuro-

virulence properties as set forth in § 73.114(b)(1)(iii).

(6) The Surgeon General may, from time to time, prohibit the use of a specified strain whenever he finds it is practicable to use another strain of the same type which is potentially less pathogenic for man, and that it will produce a vaccine of equivalent safety and potency.

§ 73.111 Reference strains.

The following reference viruses shall be obtained from the Division of Biologics Standards.

Reference Poliovirus, Live Attenuated, Type 1, as a control for correlation of virus titers in tissue cultures.

Reference Poliovirus, Live, Attenuated, Type 2, as a control for correlation of virus titers in tissue cultures.

Reference Poliovirus, Live Attenuated, Type 3, as a control for correlation of virus titers in tissue cultures.

Reference Attenuated Poliovirus, Type 1, as a control for correlation of monkey neurovirulence tests.

§ 73.112 Animal source; quarantine; personnel.

(a) *Monkeys*—(1) *Species permissible as source of kidney tissue.* Only Macaca or Cercopithecus monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable, which have met all the requirements of § 73.36(f)(2) and (4) shall be used as the source of kidney tissue for the manufacture of Poliovirus Vaccine, Live, Oral.

(2) *Experimental and test monkeys.* Monkeys that have been used previously for experimental or test purposes shall not be used as a source of kidney tissue in the manufacture of vaccine.

(3) *Quarantine: additional requirements.* Excluding deaths from accidents or causes not due to infectious diseases, if the death rate of any group of monkeys being conditioned in accordance with § 73.36(f)(2) exceeds 5 percent per month, the remaining monkeys may be used for the manufacture of Poliovirus Vaccine only if they survive a new quarantine period.

(b) *Personnel.* All possible steps shall be taken to insure that personnel involved in processing the vaccine are immune to poliovirus in order to minimize the possibility that they may become excretors of poliovirus.

§ 73.113 Manufacture.

(a) *Primary cell cultures.* Only primary monkey kidney tissue cultures may be used in the manufacture of poliovirus vaccine. Continuous line cells shall not be introduced or propagated in vaccine manufacturing areas.

(b) *Virus passages.* Virus in the final vaccine shall represent no more than five tissue culture passages from the original strain, each of which shall have met the criteria of acceptability prescribed in § 73.110(b).

(c) *Identification of processed kidneys.* The kidneys from each monkey shall be processed and the viral fluid resulting therefrom shall be identified as a separate monovalent harvest and kept separately from other monovalent harvests until all samples for the tests prescribed in the following paragraph relating to that pair of kidneys shall have been withdrawn from the harvest.

(d) *Monkey kidney tissue production vessels prior to virus inoculation.* Prior to inoculation with the seed virus, the tissue culture growth in vessels representing each pair of kidneys shall be examined microscopically for evidence of cell degeneration at least 3 days after complete formation of the tissue sheet. If such evidence is observed, the tissue cultures from that pair of kidneys shall not be used for poliovirus vaccine manufacture. To test the tissue found free of cell degeneration for further evidence of freedom from demonstrable viable microbial agents, the fluid shall be removed from the cell cultures immediately prior to virus inoculation and tested in each of four culture systems; (1) Macaca monkey kidney cells, (2) Cercopithecus monkey kidney cells, (3) primary rabbit kidney cells, and (4) human cells from one of the systems described in § 73.114(a)(6), in the following manner: Aliquots of fluid from each vessel shall be pooled and at least 10 ml. of the pool inoculated into each system, with ratios of inoculum to medium being 1:1 to 1:3 and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum. The cultures shall be observed for at least 14 days. At the end of the observation period, at least one subculture of fluid from the Cercopithecus monkey kidney cell cultures shall be made in the same tissue culture system and the subculture shall be observed for at least 14 days. If these tests indicate the presence in the tissue culture preparation of any viable microbial agent the tissue cultures so implicated shall not be used for poliovirus vaccine manufacture.

(e) *Control vessels.* Before inoculation with seed virus, sufficient tissue culture vessels to represent at least 25 percent of the cell suspension from each pair of kidneys shall be set aside as controls. The control vessels shall be examined microscopically for cell degeneration for an additional 14 days. The cell fluids from such control vessels shall be tested, both at the time of virus harvest and at the end of the additional observation period, by the same method prescribed for testing of fluids in paragraph (d) of this section. In addition, the cell sheet in each control vessel shall be examined for presence of hemadsorption viruses by the addition of guinea pig red blood cells.

(f) *Virus harvest; interpretation of test results.* At the end of the additional 14-day observation period the tissue cultures in at least 80 percent of the control vessels shall show no microscopic evidence of cell degeneration of the tissue sheets. If the tissue culture in less than 80 percent of the control vessels is not free of cell degeneration at the end of the observation period, no tissue from the kidneys implicated shall be used for poliovirus vaccine manufacture. If the test results of the control vessels indicate the presence of any extraneous agent at the time of virus harvest, the entire virus harvest from that tissue culture preparation shall not be used for poliovirus vaccine manufacture. If any of the tests or observations described in paragraph (d) or (e) of this section demonstrate the presence in the tissue culture preparation of any microbial agent known to be capable of producing human disease, the virus grown in such tissue culture preparation shall not be used for poliovirus vaccine manufacture.

(g) *Kidney tissue production vessels after virus inoculation—temperature.* After virus inoculation, production vessels shall be maintained at a temperature not to exceed 35° C. during the course of virus propagation.

(h) *Kidney tissue virus harvests.* Virus harvested from vessels containing the kidney tissue from one monkey may constitute a monovalent virus pool and be tested separately, or viral harvests from more than one pair of kidneys may be combined, identified, and tested as a monovalent pool. Each pool shall be mixed thoroughly and samples withdrawn for testing as prescribed in § 73.114(a). The samples shall be withdrawn immediately after harvesting and prior to further processing, except that samples of test materials frozen immediately after harvesting and maintained at —60° C. or below, may be tested upon thawing, provided no more than one freeze-thaw cycle is employed.

(i) *Filtration.* After harvesting and removal of samples for the safety tests prescribed in § 73.114(a), the pool shall be passed through sterile filters having a sufficiently small porosity to assure bacteriologically sterile filtrates.

§ 73.114 Test for safety.

(a) *Tests prior to filtration.* Monovalent virus pools shall contain no demonstrable viable microbial agent other than the attenuated live polioviruses intended. The vaccine shall be tested for the absence of adventitious and other infectious agents including polioviruses of other types or strains, simian agents, Mycobacterium tuberculosis, pox viruses, lymphocytic choriomeningitis virus, Echo viruses, Coxsackie viruses, and B-virus. Testing of each monovalent pool shall include the following procedures:

(1) *Inoculation of rabbits.* A minimum of 100 ml. of each monovalent virus pool shall be tested by inoculation into at least ten healthy rabbits, each weighing 1500–2500 grams. Each rabbit shall be injected intradermally in multiple sites, with a total of 1.0 ml. and subcutaneously with 9.0 ml., of the viral pool, and the animals observed for at least 3 weeks. Each rabbit that dies after the first 24 hours of the test or is sacrificed because of illness shall be necropsied and the brain and organs removed and examined. The virus pool may be used for poliovirus vaccine only if at least 80 percent of the rabbits remain healthy and survive the entire period and if all the rabbits used in the test fail to show lesions of any kind at the sites of inoculation and fail to show evidence of B-virus or any other viral infection.

(2) *Inoculation of adult mice.* Each of at least 20 adult mice, each weighing 15–20 grams, shall be inoculated intraperitoneally with 0.5 ml. and intracere-

brally with 0.03 ml. of each monovalent virus pool to be tested. The mice shall be observed for 21 days. Each mouse that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied and examined for evidence of viral infection by direct observation and subinoculation of appropriate tissue into at least five additional mice which shall be observed for 21 days. The monovalent virus pool may be used for poliovirus vaccine only if at least 80 percent of the mice remain healthy and survive the entire period and if all the mice used in the test fail to show evidence of lymphocytic choriomeningitis virus or other viral infection.

(3) *Inoculation of suckling mice.* Each of at least 20 suckling mice less than 24 hours old, shall be inoculated intracerebrally with 0.01 ml. and intraperitoneally with 0.1 ml. of the monovalent virus pool to be tested. The mice shall be observed daily for at least 14 days. Each mouse that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied and all areas examined for evidence of viral infection. Such examination shall include subinoculation of appropriate tissue suspensions into an additional group of at least five suckling mice by the intracerebral and intraperitoneal routes and observed daily for 14 days. In addition, a blind passage shall be made of a single pool of the emulsified tissue (minus skin and viscera) of all mice surviving the original 14-day test. The virus pool under test is satisfactory for poliovirus vaccine only if at least 80 percent of the mice remain healthy and survive the entire period and if all the mice used in the test fail to show evidence of Coxsackie or other viral infection.

(4) *Inoculation of guinea pigs.* Each of at least five guinea pigs, each weighing 350–450 grams, shall be inoculated intracerebrally with 0.1 ml. and intraperitoneally with 5.0 ml. of the monovalent virus pool to be tested. The animals shall be observed for at least 42 days and daily rectal temperatures recorded for the last 3 weeks of the test. Each animal that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied and its tissues shall be examined both microscopically and culturally for evidence of tubercle bacilli, and by passage of tissue suspensions into at least three other guinea pigs by the intracerebral and intraperitoneal routes of inoculation for evidence of viral infection. If clinical signs suggest infection with lymphocytic choriomeningitis virus, serological tests shall be performed on blood samples of the test guinea pigs to confirm the clinical observations. Animals that die or are sacrificed during the first 3 weeks after inoculation with poliovirus shall be examined for infection with lymphocytic choriomeningitis virus. Animals that die in the final 3 weeks shall be examined both microscopically and culturally for Mycobacterium tuberculosis. The monovalent virus pool is satisfactory for poliovirus vaccine only if at least 80 percent of all animals remain healthy and survive the observation period and if all the animals used in the test fail to show evidence of infection with Mycobacterium tuberculosis, or any viral infection.

(5) *Inoculation of monkey kidney tissue cultures.* At least 500 doses or 50 ml., whichever represents a greater volume of virus, of each undiluted monovalent virus pool, or in equal proportions from individual harvests or subpools, shall be tested for simiam viruses in Macaca, and the same volume in Cercopithecus, monkey kidney tissue cultures, in a ratio of inoculum to medium of from 1:1 to 1:3, and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum, after neutralization of the poliovirus by high titer specific antiserum of nonprimate origin. The immunizing antigens used for the preparation of antisera shall be grown in a human tissue culture cell line. The cultures shall be observed for no less than 14 days. At the end of the observation period at least one subculture of fluid from the Cercopithecus kidney cell culture shall be made in the same tissue culture system and the subculture shall be observed for at least 14 days. The monovalent virus pool is satisfactory for poliovirus vaccine only if all the tissue cultures fail to show evidence of the presence of simian viruses or any other viral infection.

(6) *Inoculation of human cell cultures.* At least 500 doses or 50 ml., whichever represents a greater volume of virus, taken from either a single monovalent pool, or in equal proportions from individual harvests or sub-pools, shall be tested in a ratio of inoculum to medium of 1:1 to 1:3, and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum, for the presence of measles virus in either (i) primary human amnion cells, (ii) primary human kidney cells, or (iii) any other cell system of comparable susceptibility to unmodified measles virus. The test material shall be neutralized with poliovirus antiserum of other than primate origin if the tissue culture cell system used is susceptible to poliovirus. The culture shall be observed for no less than 14 days. The monovalent virus pool is satisfactory for poliovirus vaccine only if all tissue cultures fail to show evidence of the presence of measles virus or any other viral infection.

(7) *Inoculation of rabbit kidney tissue cultures.* At least 500 ml. of virus pool taken from either a single monovalent pool, or in equal proportions from individual harvests or sub-pools, shall be tested in a ratio of inoculum to medium of from 1:1 to 1:3, and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum, in primary rabbit kidney tissue culture preparations for evidence of B-virus. The culture shall be observed for no less than 14 days. The monovalent virus pool is satisfactory for poliovirus vaccine only if all tissue cultures fail to show evidence of the presence of B-virus.

(b) *Tests after filtration.* The following tests relating to safety shall be performed after the filtration process, on each monovalent virus pool or on each multiple thereof (monovalent lot):

(1) *Neurovirulence in monkeys.* Each monovalent virus pool or monovalent lot shall be tested in comparison with the Reference Attenuated Poliovirus for neurovirulence in Macaca mulatta (rhesus) monkeys by both the intrathalamic and intraspinal routes of injection. A pre-injection serum sample obtained from each monkey must be shown to contain no neutralizing antibody in a dilution of 1:4 when tested against no more than 1,000 $TCID_{50}$ of each of the three types of poliovirus. The neurovirulence tests are not valid unless the sample contains at least $10^{7.0}$ $TCID_{50}$ per ml. when titrated in comparison with the Reference Poliovirus, Live, Attenuated of the appropriate type. All monkeys shall be observed for 17 to 21 days, under the supervision of a qualified pathologist, physician, or veterinarian, and any evidence of physical abnormalities indicative of poliomyelitis or other viral infections shall be recorded.

(i) *Intrathalamic inoculation.* Each of at least 30 monkeys shall be injected intracerebrally by placing 0.5 ml. of virus pool material into the thalamic region of each hemisphere. Comparative evaluations shall be made with the virus pool under test and the Reference Attenuated Poliovirus. Only monkeys that show evidence of inoculation into the thalamus shall be considered as having been injected satisfactorily. If on examination there is evidence of failure to inoculate virus pool material into the thalamus, additional monkeys may be inoculated in order to re-establish the minimum number of 30 monkeys for the test.

(ii) *Intraspinal inoculation.* Each of a group of at least five monkeys shall be injected intraspinally with 0.2 ml. of virus pool material containing at least $10^{7.0}$ $TCID_{50}$ per ml. and each monkey in additional groups of at least five monkeys shall be injected intraspinally with 0.2 ml. of a 10-fold dilution of the virus pool material starting with the 10^{-1} dilution and continuing through the 10^{-4} dilution respectively. Comparative evaluations shall be made with the virus pool under test and the reference material. Only monkeys that show microscopic evidence of inoculation into the gray matter of the lumbar cord shall be considered as having been injected satisfactorily. If on examination there is evidence of failure to inoculate intraspinally, additional animals may be inoculated in order to re-establish the minimum number of five animals per group.

(iii) *Determination of neurovirulence.* At the conclusion of the observation period comparative histopathological examinations shall be made of the lumbar cord, cervical cord, lower medulla, upper medulla, mesencephalon and motor cortex of each monkey in the groups injected with virus under test and those injected with the Reference Attenuated Poliovirus, except that for animals dying during the test period, these examinations shall be made immediately after death. If at least 60 percent of the animals of a group survive 48 hours after inoculation, those animals

which did not survive may be replaced by an equal number of comparable test animals. If less than 60 percent of the animals of a group survive 48 hours after inoculation, the test must be repeated. At the conclusion of the observation the animals shall be examined to ascertain whether the distribution and histological nature of the lesions are characteristic of poliovirus infection. A comparative evaluation shall be made of the evidence of neurovirulence of the virus under test and the Reference Attenuated Poliovirus with respect to (*a*) the number of animals showing lesions characteristic of poliovirus infection, (*b*) the number of animals showing lesions other than those characteristic of poliovirus infection, (*c*) the severity of the lesions, (*d*) the degree of dissemination of the lesions, and (*e*) the rate of occurrence of paralysis not attributable to the mechanical injury resulting from inoculation trauma. The virus pool under test is satisfactory for poliovirus vaccine only if at least 80 percent of the animals in each group survive the observation period and if a comparative analysis of the test results demonstrate that the neurovirulence of the test virus pool does not exceed that of the Reference Attenuated Poliovirus.

(iv) *Test with Reference Attenuated Poliovirus.* The Reference Attenuated Poliovirus shall be tested as outlined in subdivisions (i) and (ii) of this subparagraph once every three months during vaccine production or once for every ten production lots of vaccine, whichever is more frequent. The test procedure shall be considered acceptable only if lesions of poliomyelitis are seen in monkeys inoculated with the reference material at a frequency statistically compatible with all previous tests with this preparation.

(2) *Test for virus titer.* The concentration of living virus in each monovalent virus pool or lot shall be determined, using the Reference Poliovirus Live, Attenuated of the same type as a control. The test shall be a 50 percent end-point titration calculation ($TCID_{50}$), performed with either groups of ten tubes at 1 log dilution steps or groups of five tubes of 0.5 log dilution steps, or a test of demonstrated equivalent sensitivity. Acceptable titrations of the reference virus shall not vary more than ± 0.5 log from its labeled titer.

(3) *Tests for In-vitro Markers.* A test shall be performed on each monovalent virus pool or each monovalent lot resulting therefrom, using the ret/40 Marker. A second test shall be performed using the d Marker or another marker method shown to be of value in identification of the attenuated strain. The test results shall demonstrate that the virus under test and the seed virus have substantially the same marker characteristics.

(i) *rct/40 Marker.* Attenuated strains which grow readily at 40° C. (± 0.5° C.) are classified as ret/40 positive (+) in contrast to the rct/40 negative (−) strains which show an increased growth of at least 100,000 fold at 36° C. over that obtained at 40° C. Comparative determinations shall be made in either tube or bottle cultures.

(ii) *d Marker.* Attenuated strains which grow readily at low concentrations of bicarbonate under agar are classified as d positive (+) in contrast to the d negative (−) strains which exhibit delayed growth under the same conditions. The cultures shall be grown in a 36° C. incubator either in stoppered bottles or in plates in an environment of 5 percent CO_2 in air.

§ 73.115 Potency test.

The concentration of live virus expressed as $TCID_{50}$ of each type in the vaccine shall constitute the measure of its potency. The accuracy of the titration to determine the concentration of live virus in the lot under test shall be confirmed by performing a titration with the Reference Poliovirus, Live, Attenuated of the appropriate type as a check on titration technique. The concentration of each type of live virus contained in the vaccine of the lot under test shall be between 200,000 and 500,000 $TCID_{50}$ per human dose.

§ 73.116 General requirements.

(a) *Final container sterility test.* The final container sterility test need not be performed provided aseptic techniques are used in the filling process.

(b) *Consistency of manufacture.* No lot of vaccine shall be released unless each monovalent pool contained therein is one of a series of five consecutive pools of the same type, each pool having been manufactured by the same procedures, and each having met the criteria of neurovirulence for monkeys prescribed in § 73.114(b)(1), and of in-vitro markers prescribed in § 73.114(b)(3).

(c) *Dose.* The individual human dose of vaccine shall contain from 200,000 to 500,000 $TCID_{50}$ of each type of virus that is in the final product.

(d) *Labeling.* In addition to complying with all other applicable labeling requirements, the final container label shall bear a statement indicating that liquid vaccine may not be used for more than 7 days after opening the container. Labeling may include a statement indicating that for frozen vaccine a maximum of 10 freeze-thaw cycles is permissible provided the total cumulative duration of thaw does not exceed 24 hours, and provided the temperature does not exceed 8° C. during the periods of thaw.

(e) *Samples and protocols.* For each lot of vaccine, the following materials shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda, Md. 20014:

(1) All protocols relating to the history of manufacture of the lot and all results of all tests prescribed in these additional standards.

(2) A 500 ml. bulk sample of each final monovalent pool having a virus titer of no less than $10^{7.5}$ $TCID_{50}$ per milliliter, except that if the titer is greater, a correspondingly smaller volume may be submitted.

(3) A total of no less than a 200 milliliter sample of the vaccine in final labeled containers.

§ 73.117 Clinical trials to qualify for license.

To qualify for license, the antigenicity of the vaccine shall have been determined by clinical trials of adequate statistical design. Such clinical trials shall be conducted with five consecutive lots of poliovirus vaccine which have been manufactured by the same methods, each of which has shown satisfactory results in all prescribed tests. Type specific neutralizing antibody (from less than 1:4 before vaccine treatment, to 1:16 or greater after treatment) shall be induced in 80 percent or more of susceptibles when administered orally as a single dose, or in excess of 90 percent of susceptibles when administered orally after a series of doses. A separate clinical trial shall have been conducted for each monovalent and each polyvalent vaccine for which license application is made.

§ 73.118 Equivalent methods.

Modification of any particular manufacturing method or process or the conditions under which it is conducted as set forth in the additional standards relating to Poliovirus Vaccine, Live, Oral, shall be permitted whenever the manufacturer presents evidence that demonstrates the modification will provide assurances of the safety, purity, and potency of the vaccine that are equal to or greater than the assurances provided by such standards, and the Surgeon General so finds and makes such finding a matter of official record.

§§ 73.142, 73.152 [Amended]

5. Delete the following provisions relating to testing for *Mycoplasma:*

§ 73.142(a)(6).
§ 73.142(b)(6).
§ 73.152(a)(1)(ii).
§ 73.152(a)(3)(vi).

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 351, 58 Stat. 702; 42 U.S.C. 262)

Dated: June 2, 1967.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: June 27, 1967.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 67-7629; Filed, July 3, 1967; 8:52 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 7803]

AIRWORTHINESS DIRECTIVES

Certain Models of Piper Airplanes

The Federal Aviation Administration has under consideration a proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness

directive applicable to specified models of Piper airplanes. A notice of proposed rule making published in 31 F.R. 16161 required inspection and repairs as necessary of engine exhaust systems and repetitive replacement of mufflers. While the original proposal contained an exception for PA-24-260 airplanes, as a result of recent investigations of reports of malfunctions of the exhaust systems on Piper Model PA-24-260, it has been determined that these airplanes should be included in the list of airplanes covered by the airworthiness directive. The one comment received in response to the notice of proposed rule making has been fully considered in the revision of the proposed airworthiness directive. In this connection, the original proposed paragraph (c) has been revised to eliminate inspections of engine mount tubes and rubber bushings, since such inspections, while desirable, are not required in the interest of safety. The suggestion that an internal check of mufflers that do not have internal baffle tubes should not be required has not been accepted since corrosion, deterioration, and small cracks are more readily detected by examining the interior surface. Furthermore, the interval for repetitive inspections is being retained; no undue burden is imposed since inspections are customarily made at 100-hour intervals. It was also suggested that the proposed submerged pressure check is expensive and that the alternative ground test with a carbon monoxide indicator is impractical since the indicators are seldom available. The muffler pressure check is an alternative means of compliance, it is based on Piper Service Letter No. 324A and is one of the most efficient means of inspecting mufflers. There are several acceptable indicators which may be used for the ground test if an owner does not desire to use the muffler pressure check. Paragraph (e) (3) of the proposed airworthiness directive has been clarified with regard to the ground test to specify the level of carbon monoxide concentration which is considered dangerous and the test procedure has been revised. For the reasons set forth above, the proposed AD published in 31 F.R. 16161, December 16, 1966, is hereby withdrawn, and a new airworthiness directive is proposed which includes the Model PA-24-260 Piper airplane and requires inspection of the exhaust systems in accordance with the changes proposed herein.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before August 30, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

PIPER. Applies to Model J3, J4, J5, PA-11, PA-12, PA-14, PA-15, PA-16, PA-17, PA-18, PA-19, PA-20, PA-22, and PA-24 Series airplanes.

Compliance required as indicated.

(a) For all airplanes except Models J3, J4, J5, and PA-11, which have exhaust mufflers with 950 or more hours' time in service on the effective date of this AD, comply with paragraph (e) within the next 50 hours' time in service and thereafter at intervals not to exceed 50 hours' time in service from the last inspection.

(b) For all airplanes except Models J3, J4, J5, and PA-11, which have exhaust mufflers with less than 950 hours' time in service on the effective date of this AD, comply with paragraph (e) within the next 50 hours' time in service, and thereafter at intervals not to exceed 100 hours' time in service from the last inspection. After the exhaust muffler has accumulated 950 hours' time in service, comply with the inspection requirements of paragraph (a).

(c) For all Models J3, J4, J5, and PA-11 airplanes which have exhaust mufflers with 950 or more hours' time in service on the effective date of this AD, comply with paragraph (e) within the next 50 hours' time in service and thereafter at intervals not to exceed 50 hours' time in service from the last inspection.

(d) For all Models J3, J4, J5, and PA-11 airplanes which have exhaust mufflers with less than 950 hours' time in service on the effective date of this AD, comply with paragraph (e) prior to the accumulation of 1000 hours' time in service and thereafter at intervals not to exceed 50 hours' time in service.

(e) Inspect in accordance with paragraph (f), and paragraph (g) if applicable, the engine exhaust muffler and shroud assembly (including the internal baffle tube and tail pipe), carburetor heat shroud and air duct, support braces, clamps and brackets, exhaust stacks and manifolds. Do not alter those mufflers incorporating an internal baffle tube to remove the tube without prior FAA approval.

(Piper Service Letter No. 324B describes the critical areas.)

(f) Remove muffler assembly, disconnect air ducts, stacks, and shrouds as necessary, and visually inspect exterior and interior surfaces with a probe light and mirror for signs of cracks, corrosion, burn-throughs, heat damage, collapsed stack, or weld separations. For carburetor type engines, special attention should be given to the exhaust stack under the carburetor heat shroud. Except during the initial inspection, the muffler need not be removed from the airplane, provided visual inspection with probe light and mirror is made through the muffler tail pipe outlet and one end of the muffler at the stack connection.

(g) If the inspection specified in paragraph (f) shows that the exhaust stacks and internal baffle tube are in good condition, but there are areas inside the muffler which cannot be adequately inspected with a probe light and mirror, accomplish one of the following:

(1) Accomplish a submerged pressure check of the muffler and exhaust stack at 10 psi air pressure.

(2) Conduct a ground test using a carbon monoxide indicator by heading the airplane into the wind, warming the engine on the ground, advancing the throttle to full static r.p.m. with cabin heat valves open, and taking readings of the heated airstream inside the cabin at each outlet (including rear seat heat outlet, if installed). Appropriate sampling procedures applicable to the particular indicator must be followed. If carbon monoxide concentration exceeds .005 percent or if a dangerous reading is obtained on an indicator not calibrated in percentages, inspect in accordance with (f), and perform a submerged pressure check of the muffler and exhaust stack at 10 psi air pressure before further flight.

(3) Close and secure cabin heat valves at the firewall until a complete muffler inspection in accordance with paragraph (f) is accomplished.

(h) Replace or repair parts found to have the defects listed in paragraph (f) before further flight, and thereafter comply with the inspection requirements of paragraph (b) or (d), whichever is applicable. Make welding repairs in accordance with Advisory Circular AC 43.13-1 or an FAA-approved equivalent. Pressure-check mufflers and stacks that are repair-welded before reinstallation. (Care should be exercised when reinstalling the exhaust system components to prevent distortion or preloading of parts.)

Issued in Washington, D.C., on June 26, 1967.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-7576; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SW-38]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Oklahoma City, Okla. (Tinker AFB), control zone.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal Docket will also be available for exam-

ination at the Office of the Chief, Air Traffic Division.

The Oklahoma City, Okla. (Tinker AFB), control zone is presently described in § 71.171 (32 F.R. 2123).

It is proposed to redesignate the Oklahoma City, Okla. (Tinker AFB), control zone as that airspace within a 5-mile radius of Tinker AFB (latitude 35°24'50" N., longitude 97°23'35" W.); within 2 miles each side of the Tinker AFB VOR 357° radial (348° magnetic), extending from the 5-mile radius zone to 8 miles N of the VOR; within 2 miles each side of the Tinker AFB TACAN 001° radial (352° magnetic) extending from the 5-mile radius zone to 9.5 miles N of the TACAN; within 2 miles each side of the Tinker AFB ILS S course extending from the 5-mile radius zone to the OM; within 2 miles each side of the Tinker AFB VOR 187° radial (178° magnetic) extending from the 5-mile radius zone to 8 miles south of the VOR; and within 2 miles each side of the Tinker AFB TACAN 187° radial (178° magnetic) extending from the 5-mile radius zone to 6 miles S of the TACAN.

Alteration of the Tinker AFB control zone is necessary due to revisions of the approach/departure procedures at this location.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 23, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-7577; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SW-41]

CONTROL ZONES

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Fort Worth, Tex. (Carswell AFB), control zone.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

The Fort Worth, Tex. (Carswell AFB) control zone is described in § 71.171 (32 F.R. 2096).

It is proposed to redesignate the Fort Worth, Tex. (Carswell AFB) control zone as that airspace within a 5-mile radius of Carswell AFB (latitude 32°-46'20" N., longitude 97°26'30" W.); within 2 miles each side of the Eagle Mountain Lake VOR 180° radial (171° magnetic), extending from the 5-mile radius zone to the VOR; within 2 miles each side of the Carswell AFB TACAN 358° radial (349° magnetic) extending from the TACAN to 12 miles north; within 2 miles each side of the Benbrook VOR 360° radial (351° magnetic) extending from the 5-mile radius zone to the VOR; within 2 miles each side of the Carswell AFB TACAN 194° radial (185° magnetic) extending from the TACAN to 11.5 miles south; excluding the portion east of longitude 97°24'00" W.

Revisions to the existing instrument approach/departure procedures serving Carswell AFB necessitate a revision to the Carswell control zone.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 23, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-7578; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-72]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and the transition area at Fort Leonard Wood, Mo.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

The approach radial for the VOR Runway 32 approach procedure to serve Forney AAF is being shifted 4 degrees clockwise. In order to provide controlled airspace protection for aircraft executing this instrument approach procedure, it is necessary to alter the Fort Leonard Wood control zone and 700-foot floor transition area. The 1200-foot floor transition area at Fort Leonard Wood will not be changed as a result of the airspace action proposed herein.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

(1) In § 71.171 (32 F.R. 2071), the following control zone is amended to read:

FORT LEONARD WOOD, MO.

That airspace within a 4-mile radius of the Forney AAF (latitude 37°44'30" N., longitude 92°08'25" W.), within 2 miles each side of the Forney AAF VOR 152° and 328° radials extending from the 4-mile radius zone to 8 miles southeast and northwest of the VOR, and within 2 miles each side of the 146° bearing from the Forney AAF RBN extending from the 4-mile radius zone to 8 miles southeast of the RBN.

(2) In § 71.181 (32 F.R. 2148), the following transition area is amended to read:

FORT LEONARD WOOD, MO.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Forney AAF (latitude 37°44'30" N., longitude 92°08'25" W.), within 8 miles northeast and 5 miles southwest of the Forney AAF VOR 152° and 328° radials extending from the VOR to 12 miles southeast and northwest of the VOR, and within 8 miles northeast and 5 miles southwest of the 146° bearing from Forney AAF RBN extending from the RBN to 12 miles southeast of the RBN; and that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the following direct radials: Maples, Mo., VORTAC to Forney AAF VOR; Maples VORTAC to Forney AAF RBN; Vichy, Mo., VORTAC to Forney AAF VOR; Vichy VORTAC to Forney AAF RBN, excluding that portion which coincides with the Vichy transition area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 15, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7579; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-66]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and the transition area at McCook, Nebr.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Since designation of controlled airspace in the McCook, Nebr., terminal area, the VOR Runway 12 instrument approach procedure to McCook Municipal Airport has been modified. Therefore, it is necessary to alter the McCook control zone and transition area to protect aircraft executing the revised approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

(1) In § 71.171 (32 F.R. 2071), the following control zone is amended to read:

MCCOOK, NEBR.

That airspace within a 5-mile radius of McCook Municipal Airport (latitude 40°12'25" N., longitude 100°35'25" W.); within 2 miles each side of the 120° bearing from McCook Municipal Airport, extending from the 5-mile radius zone to 8 miles southeast of the airport; and within 2 miles each side of the 324° bearing from McCook Municipal Airport, extending from the 5-mile radius zone to 8 miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(2) In § 71.181 (32 F.R. 2148), the following transition area is amended to read:

MCCOOK, NEBR.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of McCook Municipal Airport (latitude 40°12'25" N., longitude 100°35'25" W.); within 5 miles southwest and 8 miles northeast of the 120° bearing from McCook Municipal Airport extending from the 8-mile radius area to 12 miles southeast of the airport and within 5 miles southwest and 8 miles northeast of the 324° bearing from McCook Municipal Airport, extending from the 8-mile radius area to 12 miles northwest of the airport; and that airspace extending upward from 1200 feet above the surface within 5 miles each side of a line extending from McCook Municipal Airport direct to the Hayes Center, Nebr., VORTAC.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 15, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7580; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-WE-86]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is proposing amendments to Part 71 of the Federal Aviation Regulations that would designate a control zone and transition area in the Worland, Wyo., terminal area.

On or about October 12, 1967, the FAA will commission a VOR that will be located on the Worland Municipal Airport. In order to provide controlled airspace to protect aircraft executing prescribed instrument approach, departure and holding procedures based upon the VOR, the FAA proposes to designate a control zone and transition area in the Worland, Wyo., area.

The 700-foot portion of the proposed transition area will protect aircraft climbing from 700 feet to 1200 feet above the surface and descending below 1500 feet to 700 feet above the surface. The 1200-foot portion of the transition area will protect IFR aircraft operating above 1200 feet above the surface. The control zone will provide controlled airspace for aircraft executing prescribed instrument procedures below 1000 feet above the surface.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

In view of the foregoing, the FAA proposes the following airspace actions:

In § 71.171 (32 F.R. 2071) the following control zone is added:

WORLAND, WYO.

Within a 5-mile radius of Worland Municipal Airport (latitude 43°58'10" N., longitude 107°56'50" W.), and within 2 miles each side of the Worland VOR 352° radial, extending from the 5-mile radius zone to 8 miles north of the VOR.

In § 71.181 (32 F.R. 2148) the following transition area is added:

WORLAND, WYO.

That airspace extending upward from 700 feet above the surface, within 8 miles west and 6 miles east of the Worland VOR 352° and 172° radials, extending from 13 miles north to 7 miles south of the VOR; that airspace extending upward from 1,200 feet above the surface, within a 23-mile radius of Worland VOR.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on June 22, 1967.

ARVIN O. BASNIGHT,
Director, Western Region.

[F.R. Doc. 67-7581; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-74]

FEDERAL AIRWAY

Proposed Alteration

On July 20, 1967, V-12 will be realigned from Blue Springs, Mo., direct to Columbia, Mo., direct to Maryland Heights, Mo. (ASD 67-CE-4, 32 F.R. 7589). The Federal Aviation Administration is considering a south alternate to V-12 from the intersection of Macon, Mo., 273° T (267° Mag.) radials. to the intersection of Hallsville, Mo., 134° T (128° Mag.) and Columbia 102° T (096° Mag.) radials via Jefferson City, Mo. This action would improve flight planning and simplify air traffic control services to aircraft operating to and from the Jefferson City Airport and also a route to and from this airport that would by-pass the Columbia terminal area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Building, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 23, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-7582; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-82]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Billings, Mont.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Since designation of the Billings, Mont., transition area, the Federal Aviation Administration has determined that additional controlled airspace south of Billings is required for aircraft transitioning to and from J-13. Therefore, it is necessary to alter the Billings transition area to provide controlled airspace protection for aircraft executing these transitions.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the Billings, Mont., transition area is amended to read:

BILLINGS, MONT.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Logan Field (latitude 45°48'25" N., longitude 108°31'55" W.); within a 12-mile radius of Billings VORTAC, extending from a line 5 miles SE of and parallel to the Billings VORTAC 212° radial clockwise to the Billings 347° radial; and within 2 miles each side of the Billings ILS localizer E course, extending from the 8-mile radius area to 8 miles E of the Billings RBN; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Billings VORTAC, extending from the S edge of V-2 W of Billings clockwise to the SW edge of V-19 SE of Billings; within 10 miles SW and 7 miles NE of Billings VORTAC 301° radial, extending from the 25-mile radius area to 49 miles NW of the VORTAC; within 10 miles SW and 7 miles NE of the Billings VORTAC 317° radial, extending from the 25-mile radius area to 45 miles NW of the VORTAC; within 10 miles W and 7 miles E of the Billings VORTAC 347° radial, extending from the 25-mile radius area to 42 miles N of the VORTAC; within 10 miles N and 8 miles S of the Billings VORTAC 096° radial, extending from the 25-mile radius area to 38 miles E of the VORTAC; and the area southeast of Billings bounded on the NE by V-86, on the S by latitude 45°20'00" N., and on the W by V-187; and that airspace extending upward from 7,700 feet MSL within 8 miles each side of the Billings VORTAC 096° radial, extending from 38 to 99 miles E of the VORTAC.

This amendment is made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Kansas City, Mo., on June 15, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7584; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SW-39]

TRANSITION AREA

Withdrawal of Proposed Designation

In a notice of proposed rule making published in the FEDERAL REGISTER on August 13, 1966 (31 F.R. 10852), it was stated that the Federal Aviation Agency proposed to designate transition areas in the vicinity of Kirbyville, Tex., and Hemphill, Tex.

Subsequent to the publication of the notice of proposed rule making, it was determined that adequate controlled airspace existed within the Kirbyville, Tex., and Hemphill, Tex., areas.

In consideration of the foregoing, notice is hereby given that the proposal contained in Airspace Docket No. 66-SW-39 is withdrawn.

This notice of withdrawal is made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 22, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-7585; Filed, July 3, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-75]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Howell, Mich.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

As a result of the development of a public instrument approach procedure to serve the Howell, Mich., Livingston County Airport, utilizing the Salem, Mich., VORTAC as a navigational aid, it is necessary to designate a 700-foot floor transition area at Howell, Mich., to protect aircraft executing this approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2194), the following transition area is added:

HOWELL, MICH.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Howell, Mich., Livingston County Airport (latitude 42°37'30" N., longitude 83°58'45" W.), and within 2 miles each side of the Salem, Mich., 308° radial extending from the 6-mile radius area to 7 miles SE of the airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 15, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7586; Filed, July 3, 1967; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-79]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Arkansas City/Winfield, Kans.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

As a result of the development of a public instrument approach procedure to serve Strother Field at Arkansas City/Winfield, Kans., utilizing the Ponca City, Oklahoma VORTAC as a navigational aid, it is necessary to designate a 700-foot floor transition area at Arkansas City/Winfield, Kans., to protect aircraft executing this approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

ARKANSAS CITY/WINFIELD, KANS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Strother Field (latitude 37°10'00" N., longitude 97°03'00" W.).

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 15, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7587; Filed, July 3, 1967; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-81]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Tecumseh, Mich.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

As a result of the development of a public instrument approach procedure to serve the Tecumseh, Mich., Airport, utilizing the Carleton, Mich. VORTAC as a navigational aid, it is necessary to designate a 700-foot floor transition area at Tecumseh, Mich. to protect aircraft executing this approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

TECUMSEH, MICH.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Tecumseh, Mich. Airport (latitude 42°-01'30" N., longitude 83°56'20" W.).

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 15, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-7588; Filed, July 3, 1967; 8:49 a.m.]

[14 CFR Parts 71, 75]

[Airspace Docket No. 67-SW-29]

JET ROUTES AND REPORTING POINTS

Proposed Alteration

The Federal Aviation Administration is considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would realign Jet Route Nos. 4, 42, 52, 58, 72, 74, 76, 105, 21, 25, 66, and 87. The Dallas Tex., high altitude reporting point would be revoked and Greater Southwest, Tex., substituted therefor.

In line with the plan to reconfigure the Dallas-Fort Worth, Tex., terminal area, it is proposed to transfer the jet route structure from the Dallas VORTAC to the Greater Southwest, Tex., VORTAC. If such action is taken, the jet routes would be realigned as follows:

1. Jet Route No. 4 from Abilene, Tex., via Greater Southwest, Tex., to Shreveport, La.
2. Jet Route No. 21 from Austin, Tex., via INT Austin 016° and Greater Southwest 190° True radials; Greater Southwest; INT Greater Southwest 356° and Oklahoma City, Okla., 158° True radials; to Oklahoma City.
3. Jet Route No. 25 from Austin, Tex., via INT Austin 016° and Greater Southwest 190° True radials; Greater Southwest; to Tulsa, Okla.
4. Jet Route No. 42 from Greater Southwest; to Texarkana, Ark.
5. Jet Route No. 52 from Greater Southwest; to Texarkana, Ark.
6. Jet Route No. 58 from Wichita Falls, Tex., via Greater Southwest; to Alexandria, La.
7. Jet Route No. 66 from Greater Southwest; to Little Rock, Ark.
8. Jet Route No. 72 from Wichita Falls; to Greater Southwest.
9. Jet Route No. 74 from Wichita Falls; to Greater Southwest.
10. Jet Route No. 76 from Wichita Falls; to Greater Southwest.
11. Jet Route No. 87 from Houston, Tex., via Greater Southwest; to Tulsa, Okla.
12. Jet Route No. 105 from Greater Southwest; to Fayetteville, Ark.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director,

Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 22, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-7583; Filed, July 3, 1967; 8:48 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 101, 141]

[Docket No. R-327]

PUMPED STORAGE PROJECTS

Annual Reports and Uniform System of Accounts

JUNE 26, 1967.

Annual reports of Class A and B public utilities and licensees—amendments to FPC Form No. 1 and to the uniform system of accounts for licensees relating to pumped storage projects; Docket No. R-327.

1. Notice is given pursuant to 553 of Title 5 of the United States Code that the Commission proposes to amend General Instruction 16, of its Uniform System of Accounts Prescribed for Class A and Class B Public Utilities and Licensees, and certain schedules of FPC Form No. 1 so as to provide for detailed annual reporting of matters relating to pumped storage projects. In addition, the Commission proposes to add two new schedules to FPC Form No. 1, all as hereinafter more fully detailed.

2. These new and revised schedules, which are being proposed for inclusion in the annual report for the reporting year 1967 and thereafter, will replace the schedules proposed by several licensees which operate pumped storage facilities, the use of which for reporting pumped storage data for the year 1966 was permitted by ordering paragraph (D) of our Order No. 332, issued December 22, 1966, 36 FPC ——, 31 F.R. 16560.

3. Specifically, the Commission proposes to amend Part 101 of Subchapter C and Part 141 of Subchapter D, Chapter I, Title 18 of the Code of Federal Regulations as follows:

(a) The introductory clause of General Instruction 16 of Part 101 is revised to read:

16. *Separate Accounts or Records for Each Licensed Project.* The accounts or records of each licensee shall be so kept as to show for each project (including pumped storage) under license:

* * * * *

(b) The following schedules in FPC Form No. 1 are revised:

Accumulated Provisions for Depreciation of Electric Plant, page 408.
Summary of Electric Operation and Maintenance Expenses, page 420.
Depreciation and Amortization of Electric Plant, page 429.
Electric Energy Account, page 431.
Hydroelectric Generating Plant Statistics (Large Plants), pages 433a-433b.
Generating Plant Statistics (Small Plants), page 434.

as indicated in Attachment A, hereto.[1]

(c) The following new schedules are added to FPC Form No. 1:

Pumped Storage Generating Plant Statistics (Large Plants), pages 433c-433d.
Pumped Storage Generating Plants, pages 439a-439c.

as set out in Attachment B, hereto.[1]

(d) Paragraph (d) of § 141.1 is revised by adding the following two new schedule titles:

Pumped Storage Generating Plant Statistics (Large Plants).
Pumped Storage Generating Plants.

4. These amendments to the Uniform System of Accounts Prescribed for Public Utilities and Licensees and to FPC Form No. 1 are proposed to be issued under the authority granted the Federal Power Commission by the Federal Power Act, particularly sections 4(a), 301, 304, 309 and 311 thereof (41 Stat. 1065; 49 Stat. 854, 855, 858, 859; 16 U.S.C. 797(a), 825, 825c, 825h, 825j).

5. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than July 27, 1967, data, views, and comments in writing concerning the matters herein proposed. An original and 14 conformed copies should be filed with the Commission. In addition, interested persons, wishing to have their comments considered in the clearance of the proposed revisions under provisions of the Federal Reports Act of 1942 may at the same time submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Standards, Bureau of the Budget, Washington, D.C. 20503. Submissions to the Commission should indicate the name and address of the person to whom correspondence in regard to the proposal should be addressed and whether the person filing them requests a conference at the Federal Power Commission to discuss the proposed revision of the annual report form. The Commission will consider all such written submissions before acting on the matters herein proposed.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-7551; Filed, July 3, 1967; 8:46 a.m.]

[1] FPC Form No. 1 filed as part of original document.

Notices

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1966 Rev., Supp. No. 23]

PRUDENCE MUTUAL CASUALTY CO.

Termination of Authority To Qualify As Surety On Federal Bonds

Notice is hereby given that the certificate of Authority issued by the Secretary of the Treasury to the Prudence Mutual Casualty Co., Chicago, Ill., under the provisions of the Act of Congress approved July 30, 1947 (6 U.S.C. 6–13), to qualify as an acceptable surety on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States, which had been extended to July 31, 1967, will not be renewed.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new bonds with acceptable sureties in lieu of bonds executed by the Prudence Mutual Casualty Co.

Dated: June 28, 1967.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 67-7635; Filed, July 3, 1967; 8:52 a.m.]

STATEMENT OF ORGANIZATION, FUNCTIONS AND PROCEDURES AVAILABLE

In compliance with 5 U.S.C. 552, this notice provides a statement for the guidance of the public of the central and field organization of the Fiscal Service of the Treasury Department; the established places at which, the officers from whom and the methods whereby the public may secure information, make submittals or requests or obtain decisions; and the general course and method by which the Fiscal Service's functions are channeled and determined, including the nature and requirements of all formal and informal procedures available. The prior statement of organization, functions and procedures of the Fiscal Service which appears at 11 F.R. 177A–88, as amended, is hereby revoked, and the following statement substituted therefor:

Sec.
1. Fiscal Service generally.
2. Office of the Fiscal Assistant Secretary.
3. Bureau of Accounts.
4. Bureau of the Public Debt.
5. Office of the Treasurer of the United States.
6. Public information, submittals or requests, decisions.
7. Formal and informal procedures available.
8. Current statements of organization, functions and procedures available.

SECTION 1. *Fiscal Service generally.* The Fiscal Service of the Treasury Department was created by Reorganization Plan No. III, effective June 30, 1940 (5 U.S.C. 133t (1964 ed.)). The Fiscal Service, under the supervision of the Fiscal Assistant Secretary by virtue of the Reorganization Plan and of delegation from the Secretary of the Treasury, consists of the Office of the Fiscal Assistant Secretary; the Bureau of Accounts, with field offices; the Bureau of the Public Debt, with field offices, and the Office of the Treasurer of the United States. The regulations of the Fiscal Service are codified in 31 CFR, Subtitle B, Ch. II.

SEC. 2. *Office of the Fiscal Assistant Secretary.* The Office of the Fiscal Assistant Secretary is covered by section 8 of the Statement of Organization, Functions and Procedures Available for the Office of the Secretary, published in the FEDERAL REGISTER at 32 F.R. 9031.

SEC. 3. *Bureau of Accounts* — (a) *Generally.* (1) The Bureau of Accounts, under the Commissioner of Accounts, was created and established as a part of the Fiscal Service by Reorganization Plan No. III, effective June 30, 1940, with the responsibility for a variety of fiscal activities of government-wide scope.

(2) The Bureau maintains principal offices in Washington, D.C.; they include the Division of Central Accounts and Reports, the Division of Disbursement, the Division of Financial Management, and the Division of Deposits and Investments. The field offices of the Division of Disbursement are set forth in paragraph (c).

(3) The regulations of the Bureau are codified at 31 CFR, Subtitle B, Ch. II, Subch. A.

(b) *Division of Central Accounts and Reports.* The Division administers a unified system of central accounting for the Government under the Accounting and Auditing Act of 1950, as amended (31 U.S.C. 65 et seq.). Through this system, the central accounts of the Government provide the accounting basis for compiling receipt and expenditure data for financial statements of the Government as a whole, interlocking all cash transaction relationships between the Government's collecting, disbursing and fiscal officers, and the Treasurer of the United States. The Division plans and develops for publication periodic and special reports presenting the results of the financial operations of the Government, and handles the accounting and reporting for foreign currencies acquired by the Government without purchase with dollars.

(c) *Division of Disbursement.* The Division is responsible for the function of disbursement of moneys of the United States in relation to all civilian agencies of the executive branch, except the Post Office Department, U.S. Marshals and certain Government corporations, pursuant to Executive Order 6166 of June 10, 1933, as amended (5 U.S.C. 124–132n (1964 ed.)). Disbursing activities are carried out (i) through six major disbursing centers, and five regional disbursing offices of the Division located in the United States and Manila, P.I., and (ii) by delegation, through facilities of the Department of State and other agencies located in certain foreign countries. The disbursing centers are as follows:

Disbursing center	Address	Director
Birmingham, Ala. 35203	2225 Third Ave., North	Randolph Mobbs.
Chicago, Ill. 60680	536 South Clark St.	James C. Reilly.
Kansas City, Mo. 64106	U.S. Courthouse	Robert L. Larson.
Philadelphia, Pa. 19101	5000 Wissahickon Bldg.	James C. Abbott.
San Francisco, Calif. 94105	390 Main St.	P. Edward Frowd.
Washington, D.C. 20226	1201 E St., NW	Henry H. Eades.

The regional disbursing offices are as follows:

Regional disbursing office	Address	Regional disbursing officer
Denver, Colo. 80225	Bldg. 20, Denver Federal Center	G. Lewis Frazer.
Honolulu, Hawaii 96813	Federal Building	Erling Pedersen.
Juneau, Alaska 99801	Fifth and Seward St.	Arthur Adams.
Manila, Philippines 94100	200 New Office Bldg., American Embassy.	Kathryn Bramwell.
New York, N.Y. 10001	341 Ninth Ave.	Stanley J. Wolicki.
San Juan, P.R. (New York Branch)	Courthouse and Post Office Bldg.	Carlos A. Santiago.

(d) *Division of Financial Management.* (1) The Division performs the comptrollership functions of the Bureau. In addition, it works with staff of the Bureau of the Budget, the General Accounting Office, and other agencies in connection with Government-wide financial matters, including (i) studies under the Joint Financial Management Improvement Program, (ii) the integration of the systems of central accounting, reporting, and disbursing with

the financial activities of all Federal agencies, and (iii) financing of Federal advances by letter of credit.

(2) The Division conducts the liquidation of certain programs which were transferred to the Secretary of the Treasury under the provisions of the Reconstruction Finance Corporation Liquidation Act, as amended (67 Stat. 230); Executive Order 10489 of September 26, 1953 (18 F.R. 6201), and Reorganization Plan No. 1 of 1957 (5 U.S.C. 133z–15 (1964 ed.)). These involve the lending programs conducted under section 409 of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2261), and section 302 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2092), consisting of business loans with individual balances of $250,000 or more, securities of and loans to railroads, and securities of financial institutions.

(3) In accord with 31 CFR Parts 222–226, the Division supervises matters arising under title 6 of the U.S. Code relating to surety companies authorized as acceptable sureties on Federal bonds, including the examination of applications of companies requesting authority from the Secretary of the Treasury to write such bonds, and the review of the financial statements of companies so authorized, in order to determine their underwriting limitations.

(4) 31 CFR Part 256 sets forth the Division's functions in receiving applications from and making payments to persons entitled to sums appropriated by the Congress in private relief acts and, in conjunction with the Division of Disbursement, in making payments to persons securing money judgments against the United States in the Court of Claims or in the Federal district courts.

(e) *Division of Deposits and Investments.* (1) The Division performs duties relating to foreign obligations, which consist generally of the collection of the principal and interest on obligations due by foreign governments under lend-lease, surplus property and other agreements, and the keeping of related accounts.

(2) The Division performs the Department's duties relating to awards under the Settlement of War Claims Act of 1928, as amended (45 Stat. 254); the War Claims Act of 1948, as amended (50 U.S.C. App. 2001 et seq.), and the International Claims Settlement Act of 1949, as amended (22 U.S.C. 1621 et seq.). The duties include payment on such awards and the keeping of accounts therefor. Department Circular 881 (31 CFR Part 250) and 31 CFR Part 251 set forth the regulations under the 1949 Act, as amended, and the 1928 Act, as amended.

(3) The Division handles the investment accounts of the Government and loans to Government agencies made pursuant to statute. In connection therewith, it arranges for the custody of investments and securities held by the Treasurer and by Federal Reserve Banks for which the Secretary of the Treasury is responsible.

(4) The Division administers matters relating to the designation and qualification of Government depositaries and the deposit of Government funds with them. The depositaries include (i) Federal Reserve Banks; (ii) other banks which are depositaries under Department Circular 176 (31 CFR Part 202), or special depositaries under Department Circular 92 (31 CFR Part 203); and (iii) foreign depositaries.

(5) The Division supervises, in conjunction with the Federal Reserve Banks as fiscal agents of the United States, the designation and qualification of banks as Depositaries of Federal Taxes to receive deposits of certain Federal taxes on employers and employees and withheld income taxes on wages under Department Circular 848 (31 CFR Part 213), and the authorization of such Depositaries to receive deposits of Federal corporate income taxes under Department Circular 1079 (31 CFR Part 214).

(6) The Division administers certain of the duties of the Secretary of the Treasury, relating to shipment of valuables and handling claims for losses, under the Government Losses in Shipment Act (5 U.S.C. 134 et seq. (1964 ed.)).

(7) Pursuant to the Act of March 28, 1966 (80 Stat. 92), providing for the discontinuance of the Postal Savings System, the Division will receive transfer of Postal Savings funds remaining on deposit on July 1, 1967, and hold them in a trust fund account subject to claims by depositors. Except for certain inactive accounts, local post offices will, until July 1, 1968, process and forward to the Division for payment, applications for withdrawal of funds by depositors. Thereafter, all matters relating thereto will be handled by the Division.

SEC. 4. *Bureau of the Public Debt*—(a) *Generally.* (1) The Bureau of the Public Debt, under the direction of the Commissioner of the Public Debt, was created and established by Reorganization Plan III, effective June 30, 1940, as a part of the Fiscal Service of the Treasury Department with responsibility for the administrative functions arising from the Treasury's debt management activities. These functions relate to security issues of the United States, of agencies thereof, of wholly- or partly-owned Government corporations and of the former governments of Puerto Rico and the Philippine Islands.

(2) The Bureau maintains principal offices in Washington, D.C., and Chicago, Ill., and record servicing and storage offices in Parkersburg, W. Va., and Oconomowoc, Wis. The last three are the Bureau's only field offices. The last two do not deal directly with the public. Certain other Treasury offices and the Federal Reserve Banks and branches, as fiscal agents of the United States, act as official agencies for the Bureau in public debt work. Most banks and other financial institutions act as issuing or redemption agents of United States Savings Bonds and Notes.

(3) The securities issued by or under the supervision of the Bureau fall into two general classes: (i) Marketable, negotiable securities (Treasury bonds, notes, certificates of indebtedness, and bills) and (ii) nonmarketable, nonnegotiable securities (issues currently on sale are Savings Bonds of Series E and H, Savings Notes and Retirement Plan Bonds). All are issued pursuant to the Second Liberty Bond Act, as amended, and are subject to the terms of the Treasury Department circulars pursuant to which offered and the applicable Treasury regulations. The text, front or back, of the security usually refers by number to the circular under which it was offered for sale. The Treasury also offers for sale U.S. Savings Stamps which are noninterest bearing securities available through post offices and through sales agents at most schools. The stamps may be redeemed for cash at post offices and Federal Reserve Banks and branches or redeemed as payment for savings bonds at issuing agents for such bonds.

(4) The regulations of the Bureau are codified at 31 CFR, Subtitle B, Ch. II, Subch. B.

(b) *Washington office.* The Bureau offices in Washington consist of the Office of the Commissioner, the Division of Loans and Currency, the Division of Retired Securities, the Division of Public Debt Accounts and Audits, and the Office of the Chief Counsel.

(1) *Office of the Commissioner.* The Commissioner of the Public Debt exercises administrative supervision over the Bureau and coordinates operations with the official agencies mentioned in paragraph (f). The Office prepares the documents necessary to the offering of new issues of public debt securities; directs the processing of subscriptions for and allotments of securities to be issued; formulates regulations governing transactions in public debt securities, and exercises general supervision over sale of the securities and the conduct of transactions therein after issue, either by its own units or by authorized agencies. The Commissioner prescribes specifications for and orders the printing of U.S. securities. Authorized destruction of cancelled and retired public debt securities is under the jurisdiction of the Office.

(2) *Division of Loans and Currency.* The Chief of the Division directs its activities. The Division is responsible for matters relating to registration of securities, exchanges and redemptions; it maintains and services accounts of those securities on which interest is paid by check, and processes claims for relief for lost, stolen, mutilated, or destroyed securities, other than savings bonds and notes. The Division receives, stores, and supplies stocks of all new securities to official agencies.

(3) *Division of Retired Securities.* The Chief of the Division directs its activities. The Division audits and has custody of all cancelled and retired securities, other than savings bonds, savings notes, and retirement plan bonds, and all cancelled and retired interest coupons. It is charged with the delivery of bearer securities and interest coupons for authorized destruction.

(4) *Division of Public Debt Accounts and Audits.* The Chief of the Division directs its activities. This Division maintains accounting control of all public debt financial transactions, interest costs, public debt, and agency security transactions, and of the Bureau offices and the Federal Reserve Banks and branches accountable for public debt and agency securities. It also prepares statements on the public debt for use in the Treasury and for publication in the "Daily Statement of the United States Treasury."

(5) *Office of the Chief Counsel.* The Chief Counsel directs the activities of this Office, which is under the General Counsel of the Treasury. The Office furnishes legal advice to the Commissioner of the Public Debt, the Fiscal Assistant Secretary and other Department officers, concerning public debt and agency securities; formulates legal policies, regulations and opinions, and prepares and/or reviews relevant documents and correspondence. Branches of this Office serve the Division of Loans and Currency in Washington and the Chicago Office.

(c) *Chicago Office.* The Deputy Commisisoner-in-Charge directs the activities of this Office. The Office is charged with supervising transactions in savings bonds and savings notes, and savings stamps after their original issue; maintaining and servicing accounts for those savings bonds on which interest is paid by check, and processing claims for relief for lost, stolen, mutilated, or destroyed savings bonds and notes.

(d) *Parkersburg Office.* The Director supervises the activities of this Office, which is a service center, using electronic data processing equipment and techniques, to maintain and develop records for savings bonds, primarily those of Series E in punch-card form, and for savings notes and retirement plan bonds.

(e) *Oconomowoc Office.* This Office is charged solely with depository functions relating to permanent records of the Bureau's activities.

(f) *Official agencies.* (i) The Office of the Treasurer of the United States and the 12 Federal Reserve Banks and 24 branches located in the major cities perform certain functions relating to public debt work. Inquiries concerning securities and security transactions, and requests for Department circulars offering and regulating Public Debt securities and Public Debt forms may be directed to those banks.

(ii) Almost all banks, trust companies, savings and loan association and similar financial institutions serve as either issuing or redeeming agents or both for Series E bonds and should be able to furnish interested persons general information concerning the purchase and redemption of savings bonds.

SEC. 5. *Office of the Treasurer of the United States*—(a) *Generally.* (1) The Office of the Treasurer of the United States was created by the Act of September 2, 1789 (31 U.S.C. 141 et seq.), and established as part of the Fiscal Service of the Treasury Department by Reorganization Plan No. III, effective June 30, 1940, with the responsibility for the receipt, custody, and disbursement, upon proper order, of the public moneys and for maintaining records of the source, location, and disposition of these funds.

(2) The Washington, D.C., Office's organization consists of the Treasurer of the United States and immediate staff; five offices performing administrative or technical type functions, and seven major operating Divisions: Cash, Check Accounting, Check Claims, Currency Redemption, Electronic Data Processing, General Accounts, and Securities.

(3) In lieu of field offices, the Office uses the facilities of Federal Reserve Banks, as fiscal agents of the United States, to perform many of its operations, including (i) maintenance of accounts through which are handled most of the Treasurer's cash transactions, such as deposits of public moneys by Government officers, the cashing of checks for member and nonmember banks drawn on the Treasurer, and the sale and redemption of public debt securities; (ii) redeeming, verifying, and destroying silver certificates and U.S. notes, and (iii) holding collateral to secure Treasurer's cash balances held by commercial banks.

(4) The regulations of the Office of the Treasurer are codified at 31 CFR, Subtitle B, Ch. II, Subch. C.

(b) *Treasurer and immediate staff.* The Treasurer and immediate staff prescribe the policies to be applied within the area of the Treasurer's duties and responsibilities and direct the performance of various administrative functions and services.

(c) *Cash Division.* The Division furnishes a variety of general banking services, including (i) cashing checks drawn on the Treasurer; (ii) receiving deposits from Government officers for credit to the Treasurer's account, and collecting commercial checks, drafts, and postal money orders included in the deposits; (iii) receiving and paying out currency and coin in transactions with local area banks; (iv) selling and redeeming savings bonds and stamps over the counter, and (v) storing and issuing new United States notes.

(d) *Check Accounting Division.* The Division (i) establishes and controls the accounts against which disbursing officers draw checks on the Treasurer; (ii) performs the manual operations involved in reconciling checks paid by the Treasurer with checks issued as reported by disbursing officers; (iii) prepares certain data for entry into an electronic data processing system for paying and reconciling checks, establishes and maintains external accounting controls for transactions processed in the electronic system, and reconciles discrepancies detected therein, and (iv) proves and balances all credits and charges made to the Treasurer's cash accounts by Federal Reserve Banks and other Government depositaries, and compiles data therefrom for financial reports prepared by the Treasurer.

(e) *Check Claims Division.* Acting under authority delegated to the Treasurer by the Comptroller General of the United States, the Division settles claims relating to loss, forgery, or other irregularities involving checks drawn on the Treasurer. The Division also collects money from banks, endorsers, and other parties who are liable to the United States for the improper negotiation of such checks and administers the regulations governing the endorsement and payment of all checks drawn on the Treasurer.

(f) *Currency Redemption Division.* The Division (i) determines and pays the redemption value of all mutilated and burned paper currency presented for examination; (ii) verifies the dollar amount of paper currency deposited with the Treasurer by banks in the Washington, D.C., area; (iii) returns to circulation the fit notes included in such deposits and retires the notes which are unfit for further circulation, and (iv) audits the lower halves of those Federal Reserve notes retired by the Federal Reserve Banks which are not verified and destroyed by the Banks in whole-note form.

(g) *Electronic Data Processing Division.* The Division provides the electronic data processing (EDP) facilities for the Treasurer's Office, which include (i) determining the services required in connection with EDP programs; (ii) designing or modifying computer programs to meet requirements; (iii) performing the EDP operations involved in paying and reconciling approximately 550 million checks drawn upon the Treasurer each year, and (iv) preparing accounting control and summary reports required for Treasury fiscal and budgetary statements and daily reports as to whether individual checks have been paid or are still outstanding.

(h) *General Accounts Division.* The Division (i) maintains the general ledger accounts covering all funds (gold, silver, currency, coin, tax receipts, public debt receipts, etc.) coming into possession of the Treasurer; (ii) keeps certain detail accounts including depositary, transit, and U.S. paper currency accounts, and (iii) prepares the Treasurer's Account Current, the Daily Statement of the United States Treasury, and the monthly statement of United States currency in circulation. The Division also enters in the books of the Treasurer data, reported daily to the Treasurer, on the transactions handled in the name of the Treasurer by the Federal Reserve Banks and domestic and foreign commercial banks which act as Government depositaries.

(i) *Securities Division.* The Division (i) conducts all types of transactions in public debt obligations of the United States and Government corporations and agencies, providing facilities for over-the-counter sales, redemptions, and exchanges; (ii) is special agent for the payment of principal and interest on certain obligations of the Philippine Islands and Puerto Rico, and (iii) holds in custody miscellaneous securities and trust funds, including those held to secure the Treasurer's cash balances in Government depositaries.

SEC. 6. *Public information, submittals or requests, decisions.*—(a) *Public information.* Requests for final opinions and orders made in the adjudication of cases, statements of policy and interpretations adopted and not published in the FEDERAL REGISTER, administrative staff manuals and instructions to staff that affect any member of the public, and for other identifiable records or information may be made in person or by correspondence as provided in 31 CFR Part 270 for the Bureau of Accounts, 31 CFR Part 323 for the Bureau of the Public Debt, and 31 CFR Part 351 for the Office of the Treasurer.

(b) *Submittals or requests, decisions.* Submittals, requests for decisions, or other requests may be made in person to the bureaus or offices described above in sections 2 to 5 or by correspondence addressed to the respective heads of such bureaus or offices. If it cannot be determined which bureau or office has primary responsibility for a particular matter, correspondence should be addressed to the Fiscal Assistant Secretary, U.S. Treasury Department, Washington, D.C. 20220.

SEC. 7. *Formal and informal procedures available.* Interested parties may request conferences with appropriate officials of the Fiscal Service to discuss matters within their responsibility.

SEC. 8. *Current statements of organization, functions and procedures available.* Changes in the organization, functions, and procedures available of the Fiscal Service will be published in the FEDERAL REGISTER as they occur, and complete current statements will be published as necessary. A synopsis of the organization and functions of, and the procedures available in, the Fiscal Service will be published annually in the U.S. Organization Manual, a publication of the Office of the Federal Register.

Effective date. This notice shall be effective upon publication in the FEDERAL REGISTER.

Dated: June 29, 1967.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 67-7634; Filed, July 3, 1967; 8:53 a.m.]

DEPARTMENT OF DEFENSE

Department of the Navy

ORGANIZATION STATEMENT

Miscellaneous Amendments

1. Section 6 of the Organization Statement of the Department of the Navy (32 F.R. 8305) is amended by revising paragraphs (a)(2), (b), and (c); correcting the caption of, and adding subparagraph (6) to, paragraph (e); and revising paragraphs (f)(1)(iii) and (g)(1)(ii) to read as follows:

SEC. 6. *The Naval Material Command.*
(a) *Chief of Naval Material.* * * *

(2) The Naval Material Command includes the Headquarters Naval Material Command and six principal subordinate commands, known as the "Systems Commands," which are the Naval Air Systems Command, the Naval Electronic Systems Command, the Naval Facilities Engineering Command, the Naval Ordnance Systems Command, the Naval Ship Systems Command, and the Naval Supply Systems Command; separately organized Project Management offices; and the shore (field) activities which are a part of the NMC.

* * * * *

(b) *Naval Air Systems Command.* This command is responsible for: (1) Navy and Marine Corps aircraft, complete, including components thereof and fuels and lubricants therefor; (2) air-launched weapon systems, complete, and components thereof, but not including torpedoes and mines except for the airborne aspects thereof; (3) airborne electronics complete; (4) air-launched underwater sound systems; (5) airborne pyrotechnics; (6) astronautics; (7) airborne mine sweeping equipment; (8) aircraft drone and target systems; (9) catapults, arresting gear and visual landing aids; (10) land-based targets for air weapons; (11) photographic and meteorological equipment; (12) training and special and general support equipment for the foregoing; and (13) active and reserve air systems maintenance and support.

(c) *Naval Electronic Systems Command.* This Command is responsible for: (1) Shore (ground) electronics, complete; (2) shipboard electronic equipment (less antenna systems when not an integral part of the basic equipment) under system control of the Ship Systems Command as follows: communications, identification friend-or-foe, electronic countermeasures, and navigation aids; (3) fixed underwater surveillance; (4) material support of Air Systems Command for following electronics equipment: navigation aids, air traffic control, meteorology; (5) space programs as follows: The Navy satellite communications system and material support of the Navy space surveillance system; (6) shore-based strategic data systems: operations control centers; (7) data-link systems (external to ships and aircraft); (8) radiac equipment; (9) general-purpose electronic test equipment and common components, techniques and services; and (10) electronic systems not otherwise assigned.

* * * * *

(e) *Naval Ordnance Systems Command.* This Command is responsible for:

* * * * *

(6) Providing central coordination and technical authority for explosive safety (conventional and nuclear).

(f) *Naval Ship Systems Command.* (1) This Command is responsible for:

* * * * *

(iii) Establishing the specifications (including those for inspection) necessary to insure the desired quality of fuel and lubricants for use in propulsion and auxiliary machinery and equipment in naval ships.

* * * * *

(g) *Naval Supply Systems Command.* (1) This Command is responsible for:

* * * * *

(ii) Staff assistance to the Assistant Secretary of the Navy (Installations and Logistics) in matters relating to supply, distribution and disposal of naval material.

* * * * *

2. Section 13 is amended by revising the address of the Oceanographer of the Navy and adding addresses to read as follows:

SEC. 13. *Addresses.* * * *

Oceanographer of the Navy, Madison Building, 732 North Washington Street, Alexandria, Va. 22314. Phone, OXford 5-6002.

* * * * *

Commander, Naval Air Systems Command, Main Navy, 18th Street and Constitution Avenue, Washington, D.C. 20360. Phone OXford 6-2340.

Commander, Naval Electronics Systems Command, Main Navy, 18th Street and Constitution Avenue, Washington, D.C. 20360. Phone, OXford 6-4275.

Commander, Naval Ordnance Systems Command, Munitions Building, 20th Street and Constitution Avenue, Washington, D.C. 20360. Phone, OXford 6-4992.

Commander, Naval Ship Systems Command, Main Navy, 18th Street and Constitution Avenue, Washington, D.C. 20360. Phone, OXford 6-5327.

Commander, Naval Supply Systems Command, Main Navy, 18th Street and Constitution Avenue, Washington, D.C. 20360. Phone, OXford 6-8643.

(Secs. 301, 552, 80 Stat. 379, 383 (Public Law 90-23, 81 Stat. 54, effective July 4, 1967); 5 U.S.C. 201, 552)

By direction of the Secretary of the Navy.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

JUNE 27, 1967.

[F.R. Doc. 67-7657; Filed, July 3, 1967; 8:54 a.m.]

Office of the Secretary

DEFENSE CONTRACT AUDIT AGENCY

Organization Statement

Pursuant to the requirements of section 3(a) of the Administrative Procedures Act, as amended (5 U.S.C. 552), there follows a statement for the guidance of the public of the central and field organization of the Defense Contract Audit Agency as of July 1, 1967; the established places at which, the employees from whom and the methods whereby the public may obtain information, and the general course and method by which the Defense Contract Audit Agency's functions are channelled and determined:

Sec.
1 General.
2 Office of the Director.
3 Office of the Counsel.
4 Office of the Deputy for Audit Management.

Sec.
5 Office of the Deputy for Resources Management.
6 Office of the Assistant Director for Review and Evaluation.
7 Regional Offices.
8 Office of the Regional Manager.
9 Office of the Assistant for Special Projects.
10 Office of the Assistant Regional Manager for Audit Management.
11 Office of the Assistant Regional Manager for Resources Management.
12 Field Audit Offices.

SECTION 1. *General.*

(a) *Creation and authority.* The Defense Contract Audit Agency (DCAA) was established by Department of Defense Directive 5105.36, dated June 9, 1965, and began operations on July 1, 1965, as a separate agency of the Department of Defense under the direction, authority and control of the Secretary of Defense.

(b) *Mission.* The mission of the Defense Contract Audit Agency within the Department of Defense is to:

(1) Perform all necessary contract audit for the Department of Defense and to provide accounting and financial advisory services regarding contracts and subcontracts to all Department of Defense components responsible for procurement and contract administration. These services are to be provided in connection with negotiation, administration and settlement of contracts and subcontracts.

(2) Provide contract audit service to other Government agencies as may be appropriate.

(c) *Organization.* The Defense Contract Audit Agency consists of an agency headquarters office located at Building 4, Cameron Station, Alexandria, Va., and seven regional offices. The regional offices manage over 300 field audit offices located throughout the United States and overseas. These field audit offices are called branch, resident and procurement liaison offices. The agency headquarters exercises worldwide direction and control of the agency. The regional offices and their respective field audit offices are responsible for carrying out the contract audit program within their respective regions.

(d) *Requests for information.* Requests for information concerning any matter within the authority of the Defense Contract Audit Agency may be addressed to the Director, DCAA, or to the regional managers of the various regions. Requests for materials available for public inspection and copying should be made to the Director, DCAA, the regional managers of the various regions, or at one of the public reference facilities. Public reference facilities are located at headquarters, DCAA, Building 4, Cameron Station, Alexandria, Va., and at each regional office for inspection of materials available for public inspection. A charge will be made for the preparation of copies.

SEC. 2. *Office of the Director.*

(a) *Director.* The Director exercises world-wide direction and control of the Defense Contract Audit Agency, in the performance of all contract audit for the Department of Defense and other Government agencies upon appropriate request. The Director is responsible directly to the Secretary of Defense, with staff supervision provided by the Assistant Secretary of Defense (Comptroller).

(b) *Deputy Director.* The Deputy Director serves as principal assistant to the Director in all phases of the Agency's management and operations and acts for the Director in his absence.

(c) *Special Assistant to the Director.* The Special Assistant to the Director provides professional advice and consultation to the Director and headquarters staff on the feasibility and application of management techniques and systems to the managerial and operating problems of the Agency, designs and develops new systems for improvement of Agency management, and furnishes advice and guidance on Agency mission development and organization configuration.

(d) *Executive Officer.* The Executive Officer develops plans and policies affecting multiple Defense Contract Audit Agency functions and activities. He reviews or prepares major policy papers and documents formulated within the Office of the Director, processes congressional inquiries, and supervises the operation of the Agency publications systems including regulations, instructions, manuals, memoranda, and forms control.

SEC. 3. *Office of the Counsel.*

The Counsel, subject to the ultimate authority of the General Counsel of the Department of Defense, serves as Counsel to the Director, Defense Contract Audit Agency, providing legal and legislative advice to the Director and to all members of his staff. He has primary responsibility for all legal matters relating to Defense contract audit in the Department of Defense including legal sufficiency of directives, instructions, regulations, determinations and correspondence related thereto.

SEC. 4. *Office of the Deputy for Audit Management.*

(a) *Deputy for Audit Management.* The Deputy for Audit Management performs the following functions:

(1) Acts for and exercises the authority of the Director and Deputy Director, DCAA in formulating contract audit plans, programs, policies and procedures; maintaining liaison with procurement, contract administration, and other Government, industry, and professional organizations with interface in contract audit matters; and in providing technical direction and guidance for the performance of worldwide contract audit service for the Department of Defense and other Government agencies as appropriate.

(2) Exercises executive direction and control over activities of the Policy and Procedures Division, Operations Division and Special Projects Division.

(3) In the absence of the Director and Deputy Director he acts for the Director in exercising management and direction of the Defense Contract Audit Agency.

(b) *Assistant Deputy for Audit Management.* The Assistant Deputy for Audit Management serves as principal assistant to the Deputy for Audit Management in the planning and direction of activities assigned to the Office of the Deputy for Audit Management. He acts for the Deputy in his absence.

(c) *Policy and Procedures Division.* This division evaluates and recommends new or revised contract audit policies, plans, procedures and special audits. The division is comprised of three branches:

(1) *Procurement Liaison Branch.* This branch maintains liaison with the Office of the Secretary of Defense, Military departments, other Department of Defense agencies and other Government procurement and contract administration organizations to ascertain their views regarding contract audit services, provides overall arrangements for Defense Contract Audit Agency audit service, and furnishes information or clarification of the Agency's position in these areas.

(2) *Cost Interpretation Branch.* This branch prepares directives and memoranda providing answers to questions involving interpretation of Armed Services Procurement Regulations cost principles or accounting and costing principles.

(3) *Policy Formulation Branch.* This branch formulates policies and procedures for the conduct of contract audits and the preparation of related reports. This branch also prepares replies to comments and inquiries received from Defense Contract Audit Agency field offices and external sources involving contract audit policy. It participates in discussions and conferences with representatives of Government procurement and contract administration agencies, industry and professional organizations, and defense contractors, with respect to contract audit policy.

(d) *Operations Division.* This division provides technical direction and guidance for contract audits currently being performed; participates in the planning, programming, and scheduling of audit performance; maintains liaison with other Federal departments and agencies in connection with the performance of assist audits; and recommends the development of new or modification of existing audit policies. This division is comprised of an Eastern Audits Branch for DCAA, Boston, New York, Philadelphia, and Atlanta Regions and a Western Audits Branch for DCAA Chicago, San Francisco, and Los Angeles Regions. The functions of both branches are identical.

(e) *Special Projects Division*—(1) *Advanced Audit Technique Branch.* This branch performs the following functions:

(i) Conducts research and studies into pertinent scientific, business, and professional accounting developments to ascertain methods and techniques which can be used to enhance the effectiveness of contract audit.

(ii) Provides on-site or written direction, guidance, and assistance in audit

situations involving Electronic Data Processing Systems, PERT–COST and related systems, as well as in those situations requiring advanced application of statistical methods for sampling and other purposes, complex learning curve calculations, and other advanced or improved audit techniques.

(iii) Adapts, formulates, or innovates new or improved audit techniques.

(iv) Provides representation on Government, business and professional committees engaged in the study of advanced accounting and audit techniques.

(2) *Special Audits Branch.* This branch performs the following functions:

(i) Conducts research and studies for the purpose of developing data as to fields in which special audits by the Defense Contract Audit Agency would assist in achieving the objective of more effective procurement and contract administration.

(ii) Formulates the plans and programs for conduct of special audits including concurrent multilocation examinations of selected operations or cost items of defense contractors, to establish patterns, cost criteria or proposed audit techniques, and industrywide studies to appraise unusual accounting or costing principles and practices.

(iii) Provides direction and guidance to regional and field audit offices in the performance of special audits.

(iv) Reviews and evaluates results of special audits and prepares consolidated or summary reports setting forth the overall results of special audits for release to appropriate authorities.

SEC. 5. *Office of the Deputy for Resources Management.*

(a) *Deputy for Resources Management.* The Deputy for Resources Management performs the following functions:

(1) Acts for and exercises authority of the Director and Deputy Director, DCAA in the formulation, direction and execution of plans, programs, policies and procedures related to the management of DCAA resources, including financial management, personnel management and administration, program review and analysis, statistical reporting, management analysis, and general administration activities.

(2) Serves as Deputy to the Director and Deputy Director, DCAA on all matters related to Agency-wide financial management, acquisition and control of manpower and fund resources; personnel management and administration; and Agency-wide management and administration programs.

(3) Directs the development, execution and control of the Defense Contract Audit Agency portion of the Department of Defense Programming System, including the development of short-range (1 year) and long-range (5 to 7 years) objectives of the Agency and the alignment and control of resources requirements.

(4) Maintains executive direction over the implementation, coordination and execution of Department of Defense financial and other management programs required by higher authority, including the Department of Defense Cost Reduction Program and Department of Defense Data Codes and Standardization Program.

(5) Maintains executive direction and control over the negotiation and administration of host-tenant agreements with Department of Defense and other Government agencies furnishing support services to Defense Contract Audit Agency organizational elements.

(6) Exercises executive direction over activities of the Financial Management Division, Personnel Division and Management Divison.

(b) *Financial Management Division*—(1) *Budget Branch.* This branch performs the following functions:

(i) Develops and directs the execution of plans, programs, policies and procedures for the Defense Contract Audit Agency Budget Program, including the determination of financial and budgetary resource requirements; preparation and presentation of DCAA budget estimates, justifications and other data to higher review authority; distribution and administration of appropriated funds and reimbursement obligation authority; and the establishment and maintenance of systems for programming and execution of the approved DCAA budget.

(ii) Prepares financial analyses and long-range forecasts of overall financial requirements for Agency operations. Renders staff assistance in obtaining required financial resources; determines the availability of funds for assigned programs and missions; and recommends measures to facilitate effective and economical utilization of appropriations for Agency programs.

(iii) Maintains continuous review and analysis on the status of allotments and financial plans to ascertain the availability of funds for assigned programs and missions. Reviews, recommends approval or adjustments, and furnishes financial and budgetary guidance to all Agency elements in the preparation and justification of financial plans and allotment requests.

(2) *Accounting Branch.* This branch performs the following functions:

(i) Develops and directs the execution of plans, programs, policies and procedures for Defense Contract Audit Agency accounting activities, including appropriation and fund accounting, and financial reporting.

(ii) Maintains the central summary accounting system for the Agency and performs headquarters reconciliation of available balances of appropriations and funds.

(iii) Provides accounting and financial advisory services to all organizational elements of the Defense Contract Audit Agency.

(iv) Maintains the financial accounting record and consolidates financial reports received from field offices and prepares summary financial data for management use.

(3) *Manpower Branch.* This branch performs the following functions:

(i) Develops and directs the execution of plans, programs, policies and procedures for the Agency's Manpower Program, including manpower planning and programming, control and utilization of manpower resources, and reporting on manpower requirements.

(ii) Assists in the development of workload factors, criteria and standards which may be used in determining the distribution of manpower and in support of budget and apportionment requests.

(iii) Maintains detailed records on the availability and distribution of manpower resources and prepares manpower reports as required.

(c) *Personnel Division*—(1) *Policy and Programs Branch.* This branch performs the following functions:

(i) Develops and directs the execution of Defense Contract Audit Agency personnel management activities, including the formulation of plans, policies, regulations, and procedures relating to position and pay management; recruitment; career management; employee relations and services; personnel program review and evaluation.

(ii) Establishes and directs an Agencywide program for assistance, advice and counsel at all organizational levels of the Agency with respect to the interpretation and application of policy and regulations relating to civilian personnel administration. Directs all personnel administration activities relating to any military personnel detailed to the Agency.

(iii) Develops and directs the Agency recruitment program.

(iv) Develops and directs the administration of Agency-wide employment practices and employee services programs including items such as hours of work and overtime, retirement, leave administration, reduction in force and the planning for and completion of personnel actions relating to promotions, reassignments, transfer of functions and reorganizations.

(v) Conducts personnel research or assists in the application of new or evolving personnel management concepts, philosophy, standards, methods and techniques to personnel management and administration throughout Defense Contract Audit Agency.

(vi) Develops and administers individual or group employee relations programs, including employee-management cooperation; grievances, complaints and appeals; disciplinary actions; equal employment opportunity; employee communications; work conditions; and related matters.

(vii) Establishes and directs an Agency program for the review and evaluation of all aspects of personnel management program operations.

(2) *Employee Development and Placement Branch.* This branch performs the following functions:

(i) Develops and directs the administration of Agencywide programs relating to employee development and training of the professional, technical, managerial and clerical staff. Coordi-

nates technical training plans and programs with the professional audit staffs.

(ii) Studies trends and developments in the employee development field. Appraises new principles, concepts, methods, training devices, materials and techniques to determine their possible application to the Agency training programs.

(d) *Management Division*—(1) *Analysis Branch.* This branch performs the following functions:

(i) Develops and administers systems for the acquisition, analysis and presentation of the Agency program and management information required by Agency management for the control of operations including the development and application of standards for measuring performance and for estimating resources requirements, development and application of statistical techniques, and application of electronic data processing systems whenever reliability, consistency, timeliness and relative economy show clearly that required management information can best be handled this way.

(ii) Conducts continuing analyses of Agency policies, practices, systems and procedures to identify problem areas and to increase economy and effectiveness of operations.

(iii) Maintains liaison with management activities of other Government agencies, industry and professional associations to keep abreast of latest developments and applications of new or refined techniques in the management sciences field.

(2) *Security and Records Management Branch.* This branch performs the following functions:

(i) Develops programs, policies, and procedures for DCAA Security Programs, including security investigations; personnel security investigations and clearances; physical security; safeguarding and control of classified defense and nondefense information, security training, and security surveys and inspections.

(ii) Represents the Defense Contract Audit Agency on foreign or domestic intelligence matters, and maintains professional liaison with investigative agencies of the Department of Defense, other Government agencies, defense contractors, and local, State, or municipal governments.

(iii) Develops and executes plans, programs, policies, and procedures for the Records Management Program governing the creation, maintenance, utilization, and preservation or disposal of Agency records, encompassing correspondence management, document reproduction control, information retrieval system, records preservation or disposal, records management surveys and appraisals, and records reference service.

(3) *Administrative Services Branch.* This branch performs the following functions:

(i) Develops and executes programs, policies and procedures for Agency-wide administrative services and support programs.

(ii) Processes correspondence and maintains controls for timely completion of communication actions.

(iii) Maintains the headquarters technical library, publishes the Agency directory and headquarters telephone directory.

SEC. 6. *Office of the Assistant Director for Review and Evaluation.*

(a) *Assistant Director for Review and Evaluation.* The Assistant Director for Review and Evaluation plans and directs Agency-wide review and evaluation activities including the independent inspection and appraisal for the Director of all aspects of audit performance and the adequacy of all supporting resources, the development and issuance of Agency audit standards, direct participation and responsibility for the Agency professional development program, and the direction and promotion of the optimum degree of professional activities on the part of the Agency professional staff. He exercises executive direction and control over the activities of the Inspection Division, Audit Standards Division, and Professional Activities Division.

(b) *Inspection Division.* This division conducts a program of inspection throughout Defense Contract Audit Agency with respect to the adequacy of manpower, facilities, equipment, funding and other support and adequacy of all aspects of audit performance.

(c) *Audit Standards Division.* This division develops and issues Agency audit standards in collaboration with the Office of the Deputy for Audit Management. With the Office of the Deputy for Resources Management this division participates in the development of regulatory material for the Agency professional education program and develops curricula and course material for formal professional education or training courses.

(d) *Professional Activities Division.* This division establishes and maintains liaison with the professional accounting, administrative and instructional staffs in colleges and universities to assure that curricula, courses and course content more nearly meet the needs of the accountants and auditors who may work for the Federal Government. It is responsible for formulation and administration of a program for encouraging the Agency professional audit staff to write articles for publication in professional journals and to otherwise participate in the activities of professional societies and organizations.

SEC. 7. *Regional Offices.*

The geographical limits of the seven Defense Contract Audit Agency regions and their headquarters are listed in the subjoined table. Address communications to the Regional Manager.

(a) *Atlanta Region.* Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Arkansas, Louisiana, Oklahoma, Texas, New Mexico. Address: 3100 Maple Drive NE., Atlanta, Ga. 30305.

(b) *Boston Region.* Connecticut, Massachusetts, Maine, New Hampshire, New York (except New York City), Vermont. Address: 424 Trapelo Road, Waltham, Mass. 02154.

(c) *Chicago Region.* Illinois, Indiana, Kentucky, Michigan, Ohio, Wisconsin. Address: 536 South Clark Street, Chicago, Ill. 60605.

(d) *Los Angeles Region.* Southern California, Arizona and part of Nevada. Address: 1031 South Broadway, Los Angeles, Calif. 90015.

(e) *New York Region.* Metropolitan New York City, New Jersey, Rhode Island, Europe, Near East. Address: 207 West 24th Street, New York, N.Y. 10011.

(f) *Philadelphia Region.* Delaware, Maryland, Pennsylvania, Virginia, West Virginia. Address: 128 North Broad Street, Philadelphia, Pa. 19102.

(g) *San Francisco Region.* Northern California, Colorado, Kansas, Idaho, Iowa, Minnesota, Missouri, Montana, North Dakota, Nevada, Oregon, South Dakota, Washington, Southern Illinois, Alaska, Hawaii, Far East. Address: 450 Golden Gate Avenue, San Francisco, Calif. 94102.

SEC. 8. *Office of the Regional Manager.*

The Regional Manager acts as principal advisor to the Director on all matters pertaining to the operations of his region. His responsibility includes:

(a) He directs and administers the accomplishment of the Defense Contract Audit Agency mission within the region, including the management of personnel and other resources.

(b) He manages the contract audit program in the region, including the examination of contractors' representations as to incurred or projected costs under proposed, current, terminated and completed contracts, and the rendering of advice to procurement and contract administration offices within the Department of Defense and other agencies as appropriate, and he directs the programming of contract audit service.

(c) He directs the organization, management and administration of activities concerned with regional resources management, and directs and supervises the operations of resident, branch and liaison audit offices within the geographical area of the region.

SEC. 9. *Office of the Assistant for Special Projects.*

The Office of the Assistant for Special Projects performs the following functions:

(a) Provides technical direction over the regional program relating to improved and advanced audit techniques. Conducts or provides assistance on the Agency program for research and studies into pertinent scientific, business, and professional accouting developments for the purpose of utilizing available methodology and techniques to enhance the effectiveness of contract audit.

(b) Provides regional on-site or written direction, guidance, and assistance in audit situations involving Electronic Data Processing Systems, PERT-COST and related systems, and in audit situations requiring advanced application of statistical methods used for sampling and other purposes, complex learning-curve calculations, and other advanced audit techniques.

(c) Conducts research and studies of regional activities and recommends fields in which special audits would assist in achieving the objectives of effective procurement and contract administration and reviews and evaluates results of special audits performed by

the region for appropriateness of audit findings, conclusions and recommendations and for conformance with audit policies, procedures and objectives.

SEC. 10. *Office of the Assistant Regional Manager for Audit Management.*

Each regional office is assigned two (2) Assistant Regional Managers for Audit Management, responsible for branch, resident and liaison offices located within an assigned area of jurisdiction of the region. One Assistant Regional Manager is designated to act for the Regional Manager during his temporary absence. Each Assistant Regional Manager for Audit Management performs the following functions:

(a) Provides technical direction over planning, programming, supervision, and performance of contract audit functions by branch, resident and liaison audit offices.

(b) Participates in the implementation of improved and advanced audit techniques and in the conduct of special audits. Identifies fields in which special audits are indicated as needed to achieve more effective procurement and contract administration.

(c) Recommends corrective action with respect to problems of general administration and management based on deficiencies observed during trips to field audit offices. Recommends the development of new or modification of existing audit policies.

SEC. 11. *Office of the Assistant Regional Manager for Resources Management.*

(a) *Assistant Regional Manager for Resources Management.* The Assistant Regional Manager for Resources Management plans and directs the Resources Management activities of the region including financial management, personnel administration and management; administrative support and services; and the regional security program. He recommends or assists in the development of new or improved policies and procedures for application to resources management activities.

(b) *Financial Management and Administrative Division*—(1) *Financial Management Branch.* This branch performs the following functions:

(i) Prepares regional budget estimates and executes the regional financial plan; accounts for funds allocated to the region.

(ii) Supervises the receipt, processing and collection of reimbursable orders received from non-Defense agencies.

(iii) Establishes regional manpower controls and the collection and reporting of workload data and the application of criteria and standards to determine manpower requirements.

(iv) Supervises and administers the regional program reporting activity and provides regionwide management analysis services.

(2) *Administrative Branch.* This branch performs the following functions:

(i) Provides the necessary services for official travel performed by regional office personnel.

(ii) Provides the supplies and equipment necessary for regional operations and other related services.

(iii) Administers the regional security control program including the regional personnel security clearance program; and the application of the measures required to safeguard defense information.

(c) *Personnel Division.* This division plans and conducts the regional recruitment program for auditor and nonauditor personnel and visits colleges with regional audit staff members to interview accounting-major students for possible appointment with DCAA. This division also analyzes civilian personnel administration policies, procedures, regulations and guides, and prepares regional instructions, if necessary.

SEC. 12. *Field Audit Offices.*

Requests for the addresses of the branch offices, resident offices and procurement liaison offices should be made to the regional office serving the area.

(a) *Branch Office.* A branch office is established at a strategically situated location within the region, responsible for performance of all Department of Defense contract audit service within the assigned geographical area on a mobile basis, exclusive of contract audit service performed by a resident office or liaison office within the area. Each branch office performs the following functions:

(1) Plans, develops, and executes a comprehensive, integrated program to perform all necessary contract auditing for the Department of Defense and designated other Government agencies within the geographic area, and provide accounting and financial advisory service in connection with the negotiation, administration and settlement of contracts and subcontracts.

(2) Prepares and releases audit reports on contract audit activities performed for assigned contractors located within the branch geographical area. Supervises, furnishes administrative support for, and issues all contract audit reports prepared by assigned suboffices.

(3) Maintains liaison and represents other Government agencies in discussions with management officials of contractors within the assigned geographic area.

(b) *Resident Office.* A resident office is established at a contractor's location whenever the amount of audit workload justifies the assignment of a permanent staff of auditors and support elements. Each resident office performs the following functions:

(1) Plans, develops and executes a comprehensive, integrated audit program to perform all necessary contract auditing for the Department of Defense, and provide accounting and financial advisory service, in connection with the negotiation, administration and settlement of contracts and subcontracts.

(2) Prepares and releases audit reports on contract audit activities performed by the resident office. Supervises, furnishes administrative support for, and issues all contract audit reports prepared by assigned suboffices.

(3) Provides contract audit service to other contractors on a mobile audit basis where no DCAA branch office is located within the immediate geographical area.

(4) Maintains liaison with and represents the Defense Contract Audit Agency in discussions with management officials of the contractor and Department of Defense procurement and contract administration offices.

(c) *Procurement Liaison Office.* A liaison office is established at a Department of Defense procurement or contract administration office within the region, when required on a permanent basis to provide effective communication and coordination between procurement and contract audit activities in the interest of achieving the objectives of prudent contracting. Each liaison office performs the following functions.

(1) Plans, develops, and executes a liaison program to assure full utilization of contract audit services by procurement and contract administration offices within the region, serve as audit advisors, and ascertain the measure of client satisfaction.

(2) Participates in prenegotiation and negotiation conferences at request of procurement and contracting officers and furnishes advisory services in connection therewith.

(3) Furnishes accounting and financial advice to procurement and contract administration personnel and officials, such as information on contractors' accounting systems, estimating systems, the financial sections of business clearances, negotiation memoranda, etc.

(d) *Suboffice.* A suboffice is established by the regional manager as an extension of an officially established branch office, or in unusual circumstances by a resident office, when required by that office to furnish special on-site contract audit service on a permanent basis. A suboffice performs the same contract audit services as the branch or resident office to which it is assigned.

Dated: June 29, 1967.

WILLIAM B. PETTY,
Director.

[F.R. Doc. 67-7672; Filed, July 3, 1967; 8:54 a.m.]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

STATEMENT OF ORGANIZATION

Revocation

Effective July 4, 1967, the Statement of Organization of the Immigration and Naturalization Service (19 F.R. 8071, December 8, 1954), as amended, is revoked.

Dated: June 29, 1967.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 67-7632; Filed, July 3, 1967; 8:52 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-1292; Classification No. 11-01-1-67]

IDAHO

Notice of Classification of Public Lands for Multiple Use Management

JUNE 27, 1967.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, all of the public lands in the area described below, together with any lands therein that may become public lands in the future are classified for multiple use management. Publication of this notice has the effect (a) of segregating all the public land in the described area below from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. Sec. 334) and from sales under Section 2455 of the Revised Statutes (43 U.S.C. 1171) and (b) of further segregating the lands described in paragraph 3 of this notice from the operation of the general mining laws (30 U.S.C. 21). Except as provided in (a) and (b) above the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands affected are located within the following described area and are shown on maps designated I-1-607 (1), on file in the Boise District Office, Bureau of Land Management, and in the Land Office, Bureau of Land Management, Boise, Idaho.

BOISE MERIDIAN, IDAHO

T. 9 S., R. 3 W.,
Secs. 13 and 14;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 10 S., R. 3 W.,
Secs. 1 to 4, inclusive;
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 11 S., R. 3 W.,
Secs. 1 to 4, inclusive;
Secs. 10 to 15, inclusive;
Secs. 22 to 26, inclusive;
Secs. 35 and 36.
T. 12 S., R. 3 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive;
Secs. 24, 25 and 36.
T. 13 S., R. 3 W.,
Secs. 1, 12, 13, 24, and 25.
T. 9 S., R. 2 W.,
Secs. 13 to 36, inclusive.
Tps. 10, 11, 12, and 13 S., R. 2 W.
T. 14 S., R. 2 W.,
Secs. 1 to 5, inclusive;
Secs. 9 to 13, inclusive;
Secs. 24 and 25.
T. 6 S., R. 1 W.,
Sec. 1;
Secs. 11 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34 to 36, inclusive.
T. 7 S., R. 1 W.,
Secs. 1 to 3, inclusive;
Secs. 9 to 16, inclusive;
Secs. 19 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 1 W.
T. 15 S., R. 1 W.,
Secs. 1 to 13, inclusive;
Sec. 24.
T. 5 S., R. 1 E.,
Secs. 20 to 29, inclusive;
Secs. 31 to 36, inclusive.
Tps. 6, 7, 8, 9, 10, 11, 12, 13, and 14 S., R. 1 E.
T. 5 S., R. 2 E.,
Secs. 19 to 21 inclusive;
Secs. 28 to 33, inclusive.
T. 6 S., R. 2 E.,
Secs. 4 to 9, inclusive;
Secs. 14 to 36, inclusive.
T. 7 S., R. 2 E.,
Secs. 1 to 11, inclusive;
Sec. 13, S½;
Secs. 14 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 2 E.
T. 6 S., R. 3 E.,
Secs. 19, 30, and 31.
T. 7 S., R. 3 E.,
Sec. 6, W½;
Secs. 13 to 17, inclusive;
Sec. 18, E½, SW¼;
Secs. 19 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 3 E.
T. 7 S., R. 4 E.,
Secs. 17 to 20, inclusive;
Secs. 29 to 33, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 4 E.
T. 15 S., R. 4 E.,
Secs. 1 to 3, inclusive;
Sec. 4, lots 15 and 16;
Sec. 9, lots 6, 7, and 8;
Secs. 10 to 15, inclusive;
Sec. 21, lots 5 and 7;
Secs. 22 to 27, inclusive;
Sec. 33, lots 6, 7, and 8;
Secs. 34 to 36, inclusive.
T. 16 S., R. 4 E.,
Secs. 1 to 3, inclusive;
Sec. 4, lots 5, 6, and 7;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive.
T. 7 S., R. 5 E.,
Secs. 34 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, 14, 15, and 16 S., R. 5 E.
T. 7 S., R. 6 E.,
Secs. 31 to 35, inclusive.
Tps. 8, 9, 10, 11, 12, 13, 14, 15, and 16 S., R. 6 E.
T. 8 S., R. 7 E.,
Secs. 19, 30, 31, and 32.
T. 9 S., R. 7 E.,
Sec. 19;
Secs. 29 to 32, inclusive.
T. 10 S., R. 7 E.,
Secs. 4 to 9, inclusive;
Secs. 14 to 35, inclusive.
T. 11 S., R. 7 E.,
Secs. 2 to 11, inclusive;
Secs. 14 to 23, inclusive;
Secs. 26 to 34, inclusive.
T. 12 S., R. 7 E.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 34, inclusive.
T. 13 S., R. 7 E.,
Secs. 3 to 9, inclusive;
Secs. 16 to 20, inclusive;
Secs. 30 and 31.
T. 14 S., R. 7 E.,
Secs. 6, 7, 18, and 19;
Secs. 29 to 32, inclusive.
T. 15 S., R. 7 E.,
Secs. 5 to 8, inclusive;
Secs. 17 to 20, inclusive;
Secs. 29 to 33, inclusive.
T. 16 S., R. 7 E.,
Secs. 4 to 9, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 34, inclusive.

The area described contains approximately 1,424,300 acres of public land.

3. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:

BOISE MERIDIAN, IDAHO

MUD FLAT SITE

T. 9 S., R. 2 W.,
Sec. 35, W½NW¼.

CAMAS CREEK SITE

T. 10 S., R. 2 W.,
Sec. 24, lot 4;
Sec. 25, lots 1 and 2, S½NW¼NE¼, N½SW¼NE¼, S½NE¼NW¼, SE¼NW¼NW¼, SW¼NW¼, N½SE¼NW¼, SW¼SE¼NW¼.
T. 10 S., R. 1 W.,
Sec. 30, lot 1.

HOLE-IN-ROCK SITE

T. 8 S., R. 4 E.,
Sec. 26, W½SE¼NW¼, SW¼NW¼, N½NW¼SW¼, NW¼NE¼SW¼.

INDIAN BATHTUB SITE

T. 8 S., R. 6 E.,
Sec. 3, lot 3, SW¼, NW¼SE¼.

DEER WATER SITE

T. 8 S., R. 6 E.,
Sec. 29, SW¼SW¼SE¼, SE¼SE¼SW¼;
Sec. 30, NW¼NW¼NE¼, NE¼NE¼NW¼.

BRUNEAU CANYON OVERLOOK SITE

T. 8 S., R. 7 E.,
Sec. 31, E½NE¼;
Sec. 32, W½NW¼.

INDIAN HOT SPRINGS SITE

T. 12 S., R. 7 E.,
Sec. 32, E½E½SE¼, SW¼SE¼SE¼;
Sec. 33, NE¼NW¼, E½NW¼NW¼, SW¼NW¼NW¼, SW¼NW¼, NW¼SE¼NW¼.
T. 13 S., R. 7 E.,
Sec. 5, lots 1 and 2.

The total area of these sites is approximately 1,168 acres.

4. For a period of thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.1-2(d)).

JOE T. FALLINI,
State Director.

[F.R. Doc., 67-7565; Filed, July 3, 1967; 8:47 a.m.]

[C-1003]

COLORADO

Notice of Offering of Land for Sale

JUNE 27, 1967.

Notice is hereby given that under the provisions of the Act of September 19, 1964 (78 Stat. 988), and pursuant to an Application from the city of Cortez, Colorado, the Secretary of the Interior will offer for sale the W½NW¼, section 23, T. 36 N., R. 16 W., New Mexico Principal Meridian, Colorado, containing 80 acres.

The land has been classified as chiefly valuable for the orderly growth of the city of Cortez, Colorado, for use as an industrial site. The tract is zoned C-1 commercial-industrial which permits certain specific uses and such other uses as the city council may determine. The

tract adjoins the present north city limits of Cortez. It is bounded on the west by the paved Lebanon Road and on the north by a graveled county road.

It is the intention of the Secretary to enter into an agreement with the City Council of Cortez to permit the city to purchase the land at the appraised market value.

Patent to the land issued under the Act of September 19, 1964, supra, shall contain a reservation to the United States of rights of way for ditches and canals under the Act of August 30, 1890 (43 U.S.C. sec. 945), and of all the mineral deposits which shall thereupon be withdrawn from appropriation under the public land laws, including the mining and mineral leasing laws. The patent will also be issued subject to such rights as the Empire Electric Association, Inc., may have for transmission line purposes under the Act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959).

J. ELLIOTT HALL,
Manager, Colorado Land Office.

[F.R. Doc. 67-7566; Filed, July 3, 1967; 8:47 a.m.]

[A 700]

ARIZONA

Order Opening Public Lands to Mineral Location, Entry, and Patent

By virtue of the authority of the Act of April 23, 1932 (47 Stat. 136; 43 U.S.C. 154) and the regulations thereunder contained in 43 CFR 3400.4; it is ordered as follows:

1. Subject to valid existing rights and the provisions of existing withdrawals, the following described lands shall, commencing at 10 a.m., on August 7, 1967, be open to location, entry, and patenting under the U.S. Mining Laws, subject to the stipulations hereinafter quoted, to be executed and acknowledged in favor of the United States by the locators, for themselves, their heirs, successors, and assigns, and recorded in the county records and in the U.S. Land Office at Phoenix, Ariz., before any rights attach by virtue of this order:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 3 S., R. 12 E.,
Sec. 33, S½;
Sec. 34, N½, W½SW¼, NE¼SW¼, NW¼SE¼;
Sec. 35, NW¼, NW¼NE¼.
T. 4 S., R. 12 E.,
Sec. 4, lots 1, 2, 3, and 4;
Sec. 5, lot 1, W½ of lot 3, and E½ of lot 4.

The areas described contain 1,234.32 acres.

2. The lands lie within the withdrawal for the Middle Gila River project made by Public Land Order No. 3835, dated September 27, 1965, and in part, within the withdrawal for the San Carlos Indian Irrigation project made by Public Land Order No. 141 dated June 16, 1943, and Power Site Classification 438, dated November 16, 1956.

3. Location, entry, and/or patenting of the lands shall be subject to the following stipulations:

a. In carrying on the mining and milling operations contemplated hereunder, locator will, by means of substantial dikes or other adequate structures, confine all tailings, debris, and harmful chemicals in such a manner that the same shall not be carried into Gila River Bottom lands by storm waters or otherwise.

b. There shall be reserved to the United States, its successors and assigns, the prior right to use any of the lands to construct, operate and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways and appurtenant irrigation structures, without payment by the United States or its successors for such right, and the locator shall agree that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over or upon said lands should be made more expensive by reason of the existence of improvements or workings of the locator thereon, the total of such additional expense shall be estimated by the Secretary of the Interior, whose estimate is to be final and binding, and within 30 days after demand is made upon the locator for payment of any such sums, the locator will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands. The United States, its officers, agents and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the locator resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 3022 Federal Building, Phoenix, Ariz. 85025.

FRED J. WEILER,
State Director.

JUNE 27, 1967.

[F.R. Doc. 67-7567; Filed, July 3, 1967; 8:47 a.m.]

[Serial No. I-1518; Classification No. 11-03-1-67]

IDAHO

Notice of Proposed Classification of Public Lands for Multiple Use Management

JUNE 28, 1967.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify for multiple-use management all of the public lands in the area described below, together with any lands therein that may become public lands in the future. Publication of this notice has the effect (a) of segregating all the public land in the described area below from appropriation only under the following agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. Sec. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171) and (b) of further segregating the lands described in paragraph 3 of this notice from the operation of the general mining laws (30 U.S.C. 21). Except as provided in (a) and (b) above the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public domain lands affected are located within the following described area in Butte County and are shown on maps designated I-3-607(1), on file in the Idaho Falls District Office, Bureau of Land Management, and in the Land Office, Boise, Idaho.

BOISE MERIDIAN, IDAHO, BUTTE COUNTY

T. 2 N., R. 23 E.,
Secs. 1, 2, 11, 12, 13, and 24, those portions lying within Butte County.
T. 3 N., R. 23 E.,
Secs. 25, 26, 35, and 36, those portions lying within Butte County.
T. 1 N., R. 24 E.,
Secs. 4, 5, 8, 9, 16, 17, 20, 21, 28, 29, 32, and 33.
T. 2 N., R. 24 E.,
Sec. 1;
Secs. 3 to 10, inclusive;
Sec. 11, NE¼, S½NW¼, and S½;
Secs. 12 to 15, inclusive;
Sec. 16, N½ and N½S½;
Secs. 17, 18, 19, 20, 23, 24, 26, 32, and 33, all those portions lying within Butte County.
T. 3 N., R. 24 E.,
Secs. 1 to 4, inclusive;
Secs. 9 to 16, inclusive;
Sec. 17, S½SE¼;
Secs. 19 to 34, inclusive.
T. 4 N., R. 24 E.,
Sec. 1, NE¼NE¼, NE¼NW¼NE¼, S½NW¼NE¼, S½NE¼, NE¼SE¼NW¼, S½SE¼NW¼, and S½;
Sec. 2, S½NE¼SE¼ and SE¼SE¼;
Secs. 10 to 15, inclusive;
Sec. 19;
Secs. 21 to 28, inclusive;
Sec. 30;
Secs. 33 to 36, inclusive.
T. 1 N., R. 25 E.,
Secs. 1, 2, and 11 to 14, inclusive.
T. 2 N., R. 25 E.,
Secs. 1 to 26, inclusive;
Secs. 35 and 36.
T. 3 N., R. 25 E.,
Sec. 4, N½ and N½S½;
Secs. 5 to 8, inclusive;
Secs. 18 and 19;
Sec. 23, S½;
Secs. 24, 25, and 26;
Sec. 27, NE¼, S½NW¼, and S½;
Sec. 28;
Sec. 29, SE¼NE¼ and E½SE¼;
Sec. 31, E½NE¼ and S½;
Secs. 32 to 36, inclusive.
T. 4 N., R. 25 E.,
Secs. 1 to 24, inclusive;
Secs. 28 to 33, inclusive.

T. 5 N., R. 25 E.,
Secs. 12 and 13;
Sec. 14, NE¼NE¼NE¼, S½NE¼NE¼, SE¼NE¼, NE¼SW¼, S½SW¼, and SE¼;
Secs. 21 to 27, inclusive, lying within Butte County;
Sec. 28, NE¼, NE¼SE¼NW¼, S½SE¼NW¼, and S½;
Sec. 29, S½SW¼, NE¼SE¼, NE¼NW¼SE¼, S½NW¼SE¼, and S½SE¼;
Secs. 31 to 36, inclusive, lying within Butte County.
T. 7 N., R. 25 E.,
Sec. 23, SE¼, those portions within Butte County;
Sec. 24, NE¼, E½NW¼, and S½;
Secs. 25, 26, and 35, those portions within Butte County.
Tps. 1 and 2 N., R. 26 E.,
All.
T. 3 N., R. 26 E.,
Secs. 3 and 4;
Sec. 5, E½ and E½W½;
Secs. 8 and 9;
Sec. 10, N½NW¼;
Secs. 19, 21, 22;
Sec. 23, W½SW¼;
Sec. 24, S½NE¼, SE¼NW¼, and S½;
Secs. 25 to 28, inclusive;
Sec. 29, S½S½;
Secs. 30 to 36, inclusive.
T. 4 N., R. 26 E.,
Secs. 1, 2, 6, 7, 11, 12, 13, 14, and 18;
Sec. 19, W½E½NW¼, W½NW¼, and W½SW¼;
Secs. 23, 24, 25, and 26;
Sec. 29, S½S½;
Secs. 32 and 33.
T. 5 N., R. 26 E.,
Secs. 2 and 3;
Sec. 7, S½NE¼, NE¼SW¼NW¼, S½SW¼NW¼, SE¼NW¼, SW¼, and W½SE¼;
Sec. 10, NE¼NE¼, E½NW¼NE¼, SE¼NE¼, E½NE¼SE¼, and E½W½NE¼SE¼;
Sec. 11;
Sec. 12, W½;
Sec. 13, W½;
Secs. 14 and 17 to 20, inclusive;
Secs. 23 to 26, inclusive;
Secs. 29 to 32, inclusive;
Sec. 35, NE¼, E½NE¼NW¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 36.
T. 6 N., R. 26 E.,
Secs. 5, 6, and 8;
Sec. 9, W½;
Sec. 21, NE¼, E½NW¼, N½SE¼, and SE¼SE¼;
Sec. 22;
Sec. 26, W½;
Secs. 27, 34, and 35.
T. 7 N., R. 26 E.,
Sec. 18, S½S½;
Sec. 19;
Sec. 20, W½;
Sec. 29, W½;
Secs. 30 and 31;
Sec. 32, W½.
T. 8 N., R. 26 E.,
Sec. 1.
T. 9 N., R. 26 E.,
Secs. 1 to 31, inclusive;
Secs. 35 and 36.
T. 10 N., R. 26 E.,
Secs. 1 to 12, inclusive;
Sec. 13, W½, and W½SE¼;
Secs. 14 to 23, inclusive;
Sec. 24, W½NE¼, SE¼NE¼, W½, and SE¼;
Secs. 25 to 36, inclusive.
T. 1 N., R. 27 E.,
All.
T. 2 N., R. 27 E.,
All.
T. 3 N., R. 27 E.,
Secs. 1, 2, and 3;
Sec. 11, N½, NE¼SW¼, E½SE¼SW¼, and SE¼;
Secs. 12, 13, and 14;
Sec. 19, S½NW¼, and S½;
Sec. 20, E½NE¼, S½SW¼, and SE¼;
Sec. 21, all;
Sec. 22, W½SW¼, SE¼SW¼, SE¼;
Secs. 23 to 36, inclusive.
T. 4 N., R. 27 E.,
All.
T. 5 N., R. 27 E.,
Sec. 19;
Secs. 25 to 36, inclusive.
T. 6 N., R. 27 E.,
Sec. 1;
Sec. 2, N½;
Sec. 3, N½;
Secs. 12 and 13;
Sec. 14, SE¼;
Sec. 23, E½;
Secs. 24 and 25;
Sec. 26, E½;
T. 7 N., R. 27 E.,
Secs. 1 to 4, inclusive;
Secs. 9, 10, and 11;
Sec. 12, W½NW¼SW¼, SE¼NW¼SW¼, and SW¼SW¼;
Secs. 13 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 34, 35, and 36.
T. 8 N., R. 27 E.,
Secs. 1 and 2;
Sec. 3, NE¼NE¼, W½NW¼SW¼, and S½SW¼;
Secs. 4 to 9, inclusive;
Sec. 10, W½ and W½W½SW¼SE¼;
Sec. 11, NE¼, NE¼NW¼, E½SE¼NW¼, and SE¼;
Secs. 12 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 33 to 36, inclusive.
T. 9 N., R. 27 E.,
Secs. 2 and 3;
Sec. 4, N½NW¼SW¼, N½SE¼, N½SE¼SE¼, and SE¼SE¼SE¼;
Secs. 5, 6, and 7;
Sec. 8, N½, SW¼, W½SE¼, and W½E½-SE¼;
and W¼E½SE¼;
Secs. 10, 11, 13, and 14;
Sec. 15, NE¼, NE¼SE¼NW¼, S½SE¼NW¼, E½SW¼, and SE¼;
Sec. 17, W½NE¼NE¼, W½NE¼, SE¼NE¼, W½, and SE¼;
Secs. 18, 19, and 20;
Sec. 22, NE¼, NE¼NW¼, E½SW¼NW¼, SE¼NW¼, NE¼SW¼, E½NW¼SW¼, E½W½NW¼SW¼, S½SW¼, and SE¼;
Secs. 23 to 33, inclusive;
Sec. 34, N½, NE¼NE¼SW¼, N½SE¼, E½SW¼SE¼, and SE¼SE¼;
Secs. 35 and 36.
T. 10 N., R. 27 E.,
Secs. 4 to 9, inclusive;
Sec. 15, S½;
Secs. 16 to 22, inclusive;
Sec. 23, W½;
Sec. 26, W½;
Sec. 27;
Sec. 28, N½, N½SW¼, N½SW¼SW¼, SE¼SW¼SW¼, SE¼SW¼, and SE¼;
Secs. 29 to 32, inclusive;
Sec. 33, N½NE¼, E½SW¼NE¼, E½W½SW¼NE¼, SE¼NE¼, N½NE¼NW¼, SE¼NE¼NW¼, SW¼SW¼, NE¼SE¼, E½NW¼SE¼, E½W½NW¼SE¼, E½SW¼SE¼, E½W½SW¼SE¼, and SE¼SE¼;
Secs. 34 and 35.
T. 1 N., R. 28 E.,
All.
T. 3 N., R. 28 E.,
Sec. 5, lots 1 to 4, inclusive, S½NW¼ and NW¼SW¼;
Sec. 6.
T. 4 N., R. 28 E.,
Sec. 1;
Secs. 5 to 8, inclusive;
Sec. 9, W½;
Secs. 12 and 13;
Secs. 16 to 23, inclusive;
Sec. 24, N½, SW¼, N½SE¼, and SW¼SE¼;
Sec. 25, NW¼NW¼;
Sec. 26, N½, N½SW¼, SW¼SW¼, and NW¼SE¼;
Secs. 27 to 32, inclusive;
Sec. 33, N½, SW¼, and N½SE¼;
Sec. 34, NW¼NE¼, N½NW¼, and SW¼NW¼.
T. 5 N., R. 28 E.,
Secs. 1, 2, 12, 13, 24, and 31.
T. 6 N., R. 28 E.,
Secs. 1 to 12, inclusive;
Sec. 13, NW¼NW¼;
Sec. 14, N½NE¼NE¼, SE¼NE¼NE¼, N½NW¼NE¼, SW¼NW¼NE¼, W½SW¼NE¼, W½, W½SE¼, and W½SE¼SE¼;
Secs. 15 to 23, inclusive;
Sec. 24, SW¼NW¼ and W½SW¼;
Sec. 25, W½E½NW¼NW¼, W½NW¼NW¼, SW¼NW¼, S½S½NE¼SW¼, W½SW¼, SE¼SW¼, and S½SE¼;
Secs. 26 to 30, inclusive;
Secs. 35 and 36.
T. 7 N., R. 28 E.,
Secs. 1 to 6, inclusive;
Sec. 8, E½NE¼, E½NE¼SE¼, E½W½NE¼SE¼, and E½SE¼SE¼;
Secs. 9 to 16, inclusive;
Sec. 18, W½NE¼SW¼, SE¼NE¼SW¼, W½SW¼, SE¼SW¼, SW¼SE¼, S½N½SE¼SE¼, and S½SE¼SE¼;
Secs. 19 and 20;
Sec. 21, NE¼, W½SW¼, SE¼SW¼, and SE¼;
Secs. 22 to 36, inclusive.
T. 8 N., R. 28 E.,
Secs. 5 to 8, inclusive;
Secs. 16 to 23, inclusive;
Secs. 25 to 31, inclusive;
Sec. 32, NE¼, E½NW¼, E½NE¼SW¼, and SE¼;
Secs. 33 to 36, inclusive.
T. 9 N., R. 28 E.,
Sec. 19, S½;
Sec. 20, SW¼;
Sec. 29, W½;
Secs. 30 and 31;
Sec. 32, W½.
T. 1 N., R. 29 E.,
All.
T. 4 N., R. 29 E.,
Sec. 5, NW¼NE¼ and W½;
Secs. 6 and 7;
Sec. 8, N½NW¼, SW¼NW¼, and NW¼SW¼;
Sec. 18, N½NE¼, SW¼NE¼, W½, and NW¼SE¼;
Sec. 19, N½NW¼ and SW¼NW¼.
T. 5 N., R. 29 E.,
Sec. 4;
Sec. 5, W½NW¼NE¼, SE¼NW¼NE¼, S½NE¼, W½, and SE¼;
Secs. 6 to 9, inclusive;
Secs. 17 to 20, inclusive;
Sec. 21, W½W½;
Secs. 29, 30, and 31;
Sec. 32, W½E½ and W½.
T. 6 N., R. 29 E.,
Sec. 1, S½;
Sec. 2, S½;
Sec. 3, W½ and SE¼;
Sec. 4;
Sec. 5, N½SW¼, N½SW¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 6, N½, SW¼, N½SE¼, SW¼SE¼, and N½SE¼SE¼;
Sec. 8;
Sec. 9, N½, E½SW¼, and SE¼;
Sec. 10, 11, and 12;
Sec. 13, N½, N½SW¼, N½SW¼SW¼, N½S½SW¼SE¼, N½SE¼SW¼, N½S½SE¼SW¼, N½SE¼, N½SW¼SE¼, and N½N½SE¼SE¼;

Sec. 14, N½, N½NE¼SW¼, SE¼NE¼SW¼, N½SE¼, N½SE¼SE¼, and N½S½SE¼SE¼;
Sec. 15, N½NE¼, N½S½NE¼, N½NW¼, and N½S½NW¼;
Sec. 30;
Sec. 31, S½SW¼NE¼, SE¼NE¼, W½NW¼, W½SE¼NW¼, SE¼SE¼NW¼, and S½;
Sec. 32.
T. 7 N., R. 29 E.,
Secs. 6, 7, 18, and 19;
Sec. 29, W½, and SE¼;
Secs. 30, 31, and 32.
T. 8 N., R. 29 E.,
Sec. 31, S½;
T. 10 N., R. 29 E.,
Secs. 4, 5, 6, 8, 9, 16, 17, 21, and 28.
T. 1 N., R. 30 E.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 6 N., R. 30 E.,
Secs. 4 to 9, inclusive;
Secs. 16 and 17;
Sec. 18 N½, N½SW¼, N½SW¼SW¼, SE¼SW¼, and SE¼;
Secs. 19, 20, 21, and 28;
Sec. 29, NE¼.
T. 7N., R. 30 E.,
Secs. 2, 3, 4, 9, 10, 11, 14, and 15;
Sec. 16, E½;
Sec. 21, E½;
Secs. 22, 23, 26, 27, 28, 33, 34, and 35.
T. 1 S., R. 27 E.,
All.
T. 1 S., R. 28 E.,
All.
T. 1 S., R. 29 E.,
All.
T. 1 S., R. 30 E.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21 inclusive;
Secs. 28 to 33, inclusive.

The area described aggregates approximately 572,600 acres.

3. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:

BOISE MERIDIAN, IDAHO

BERENICE ARCHEOLOGICAL SITE

T. 6 N., R. 30 E.,
Sec. 7, All;
Sec. 8, All;
Sec. 17, N½N½;
Sec. 18, NE¼NE¼.

LITTLE LOST CAMPGROUND

T. 9 N., R. 27 E.,
Sec. 4, lot 2, SW¼NE¼, NW¼SE¼.

BADGER CREEK CAMPGROUND

T. 9 N., R. 27 E.,
Sec. 28, W½SE¼, SW¼NE¼.

WET CREEK CAMPGROUND

T. 9 N., R. 26 E.,
Sec. 20, SW¼NW¼.

DRY CREEK CANAL CAMPGROUND

T. 10 N., R. 26 E.,
Sec. 33, S½SE¼.

HAWLEY MT. CAMPGROUND

T. 9 N., R. 26 E.,
Sec. 4, S½NW¼.

KIPUKA

T. 1 N., R. 24 E.,
Sec. 29, NW¼.

These areas aggregate 2,076.52 acres.

4. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections concerning the proposed classification may present their views in writing to the Idaho Falls District Manager, Bureau of Land Management, Box 1857, Idaho Falls, Idaho 83401.

5. A public hearing on this proposed classification will be held at 10 a.m. on July 27, 1967, in the Memorial Building in Arco, Idaho.

JOE T. FALLINI,
State Director.

[F.R. Doc. 67-7626; Filed, July 3, 1967; 8:51 a.m.]

Geological Survey

[No. 5]

ARIZONA

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

GILA AND SALT RIVER MERIDIAN, ARIZONA

NONCOAL LANDS:

T. 4 S., R. 18 E.,
Secs. 1 to 36, inclusive.
T. 4 S., R. 19 E.,
Secs. 5 to 10, inclusive;
Sec. 11, lots 1 to 4, inclusive;
Sec. 12, lot 1;
Sec. 13;
Sec. 14, lots 1 and 2, S½NE¼, W½, SE¼;
Secs. 15 to 36, inclusive;
M.S. 2372.
T. 4 S., R. 20 E.,
Secs. 15 to 36, inclusive.

The area described aggregates about 52,696 acres.

Dated: June 13, 1967.

R. H. LYDDAN,
Acting Director.

[F.R. Doc. 67-7563; Filed, July 3, 1967; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

National Agricultural Library

LOCATION, ORGANIZATION, FUNCTIONS, AVAILABILITY OF INFORMATION

A. *Location.* The National Agricultural Library is located in Washington, D.C. Its address is: South Agriculture Building, Independence Avenue between 12th and 14th Streets SW., Washington, D.C. 20250. The main reference room and the adjacent public card catalog and book stacks, Room 1052, South Agriculture Building, are open to the public from 8:45 a.m. to 6 p.m. Monday through Friday.

B. *Organization.* The Library operates under a Director, with an Assistant Director for each of the following main service areas: (1) Technical Services; (2) Public Services; (3) Field and Special Services; and (4) Program Coordination Services. Three branch libraries are maintained in the Washington Metropolitan Area. The Law Branch, Room 2016, South Agriculture Building, is responsible for the law collection and the compilation of legislative histories. Bee Culture Branch, located at Beltsville, Md., contains the major portion of the Library's collection on apiculture. The Beltsville Branch, also located at Beltsville, Md., provides on-site service to research workers at the Agricultural Research Center and the Plant Industry Station.

C. *Functions.* The following assignment of functions is made to the National Agricultural Library at 29 F.R. 16218 as amended:

a. Acquisition and preservation of all information concerning agriculture.

b. Formulation of immediate and long-range library policies, procedures, practices, and technical standards necessary for acquisition, cataloging, loan, bibliographic, and reference service to meet the needs of scientific, technical, research, and administrative staffs of the Department, both in Washington and the field.

c. Evaluating special library programs developed for agencies of the Department; exercising such controls as are needed to coordinate library services in the Department and to avoid duplication of effort.

d. Provision of consultative service in library science and documentation, including systems for information storage and retrieval, to Department officials.

e. Coordination of scientific and technical information activities of the Department.

f. Coordination of the collection policy and program of the National Agricultural Library with the Library of Congress and the National Library of Medicine.

g. Representation of the Department on library matters before congressional committees, in international library activities, in professional societies, and in science information and documentation activities; and cooperation with other Government agencies and educational institutions on all matters relating to library services.

h. Authority to make grants under section 2 of the Act of August 4, 1965 (7 U.S.C. 450b).

D. *Availability of information—Library collection.* The National Agricultural Library collection contains approximately 1,263,000 volumes including publication in 50 languages currently acquired from over 155 governments and jurisdictional entities. The Library makes available to research workers of the Department, agricultural colleges and universities, research installations, other Government agencies, agricultural associations, industry, individual scientists, farmers, and the general public, the agricultural knowledge of the world as contained in the literature. It collects current and historical published material and organizes them for maximum use

through reference services, loans of publications or photo-reproduction, and bibliographical services. The Library issues a monthly "Bibliography of Agriculture" in which is indexed the agricultural literature of the world, and a biweekly "Pesticides Documentation Bulletin," a computer-produced index to the world's pesticide related literature. The Library also provides cataloging information to a commercial publisher for inclusion in the monthly "National Agricultural Library Catalog," a listing of currently acquired titles. Photocopies or microfilms of any material in the collection of the Library are available from the National Agricultural Library, Photoduplication Section, Washington, D.C. 20250. Fees will be charged in accordance with the Department's fee schedule published by the Director, Office of Plant and Operations.

Records. Official records of the Library are available to the public upon request for inspection and copying, except records which are exempt under 5 U.S.C. 522(b). Exempt records of the Library include the following:

1. Interagency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency.

2. Personnel and medical files and similar files the disclosure of which would constitute an invasion of personal privacy.

Records of the library which are available for copying may be copied with facilities furnished by the Library upon payment of the applicable fee.

Appeals procedure. Persons who are denied access to information for inspection or copying may appeal in writing to the Director of the Library within 30 days of the date of denial. The Director will advise in writing the person so denied as to the availability of the information requested.

Additional information. Further information on the organization (including organization charts), publications, activities, and programs of the Library may be obtained from the National Agricultural Library, Program Coordination Services, Room 1420, South Agriculture Building, Washington, D.C. 20250.

Effective date. This notice shall become effective July 4, 1967.

Done at Washington, D.C., this 28th day of June 1967.

KIRBY B. PAYNE,
Acting Director.

[F.R. Doc. 67-7640; Filed, July 3, 1967; 8:53 a.m.]

Office of Budget and Finance

ORGANIZATION, FUNCTIONS AND AVAILABILITY OF INFORMATION

Notice is hereby given for the guidance of the general public as to the organization, functions, and availability of records in the Office of Budget and Finance, U.S. Department of Agriculture, pursuant to 5 U.S.C. 552, 559.

Organization and functions. The Office of Budget and Finance is a staff agency of the Department of Agriculture located in Washington, D.C. It is comprised of the following units:

Office of the Director.
Division of Budget Policies and Operations.
Budget Review Staff.
Division of Budgetary and Financial Reporting.
Division of Accounting Policies and Systems.
Division of Legislative Reporting.

The Office is supervised by the Director of Finance who is also the Department's Budget Officer. He is responsible for all matters related to administration of the Department's financial affairs, including the general direction, coordination, supervision, organization and management of the following activities:

a. Budgetary administration, including all phases of acquisition, distribution and control of funds;

b. Financial administration, including accounting and related activities;

c. Budgetary and financial reporting;

d. Legislative reporting and related activities.

In connection with these responsibilities, he (1) formulates and promulgates Departmental policies, procedures and regulations, (2) provides staff assistance to the Secretary, other officers of the Secretary's Office, and to agency officials, and (3) reviews budgetary, financial, legislative and fiscal management aspects of program operations and proposals. He represents the Department in contacts with the Bureau of the Budget, the General Accounting Office, the Treasury, Congressional Committees on Appropriations, and any other organizations or agencies on matters related to his responsibilities.

The Office also assists the Assistant Secretary for Administration on matters involving his responsibility for management of committees sponsored by the Department.

Basic functions of the Office involve financial management policies and procedures of an internal nature in administration of the Department.

Field organization. The Office of Budget and Finance has no field organization.

Public information, submittals and requests. Requests for information within the authority of the Office shall be identified with reasonable specificity and shall be made to the Deputy Director, Office of Budget and Finance, U.S. Department of Agriculture, Washington, D.C. 20250. He will determine whether the specific information requested is available for release.

Availability of records. The Office of Budget and Finance has in its possession records obtained from other agencies of the Department and other departments and agencies of the U.S. Government. Where the question of the availability of a record is determined to be primarily the responsibility of another agency, the request will be referred to that agency for processing in accordance with that agency's regulations, and the person submitting the request shall be so notified. The decision of the responsible officer of that agency with respect to such record shall be honored by the Office of Budget and Finance.

All records of the Office of Budget and Finance are open for inspection, and copies may be furnished on request, except exempt records which include the following:

(1) Intra-agency and interagency memorandums and letters which would not be available by law to a private party other than an agency in litigation with the Department. This would include, but not be limited to, agency and department budget estimates and supporting materials used in developing the President's Budget.

Application for information. Records not exempted are made available, upon request, on regular business days, 9 a.m. to 5:30 p.m. Any special service, such as copying or duplication, or supplying material already duplicated, may entail charges as prescribed by the Director of the Office of Plant and Operations.

Administrative appeals. If a request for information is denied, an appeal may be made in writing to the Director of the Office of Budget and Finance within 15 days from the date of denial for his final determination.

Effective date. This notice shall be effective July 4, 1967.

Done at Washington, D.C., this 29th day of June 1967.

CHARLES L. GRANT,
Director of Finance.

[F.R. Doc. 67-7636; Filed, July 3, 1967; 8:53 a.m.]

Office of Information

ORGANIZATION, FUNCTIONS AND AVAILABILITY OF RECORDS

Pursuant to 5 U.S.C. 552, notice is hereby given for the guidance of the general public as to the organization, functions, and availability of records of the Office of Information.

ORGANIZATION AND FUNCTIONS

SECTION 1. *Organization.* The Office of Information is a staff agency of the Secretary of Agriculture located in Washington, D.C. It is organized into eight divisions which together carry out the functions described in section 2. The Office has no field organization.

SEC. 2. *Functions.* The Office provides policy direction, review, and coordination of all information programs of the Department. This includes the final review, illustrating, printing, and distribution of publications; clearance and release of press, radio, television, and magazine materials, filmstrips, and slide sets; maintenance of central files of news and general illustration-type photographs; the preparation and distribution of exhibits and motion pictures. The Office also produces visual information materials, such as motion pictures, exhibits, art and graphics materials, and still photographic work for the Department and other Government agencies.

AVAILABILITY OF RECORDS

SEC. 3. *Records.* All records developed by the Office are available for public inspection or copying except exempt records as described in Section 4.

SEC. 4. *Exemptions.* Exempt records of the Office include matters that are:

(a) Specifically required by Executive order to be kept secret;

(b) Related solely to the internal personnel rules and practices of the Office;

(c) Specifically exempted from disclosure by statute;

(d) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(e) Inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Department. This includes, but is not limited to, manuscripts, press releases, and other current information material being prepared for release;

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; or

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than the agency.

SEC. 5. *Delegation of authority.* The Deputy Director of Information is authorized to act, on behalf of the Office of Information, on all requests in accordance with 5 U.S.C. 552, as implemented by this notice.

SEC. 6. *Requests.* Requests for the Office's records shall (1) be made to the "Deputy Director of Information, Office of Information, Room 406–A Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250," and (2) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail.

SEC. 7. *Determinations.* The Deputy Director of Information shall make promptly available any of the Office's records, unless he determines that it is an exempt record. The Deputy Director shall give prompt written notice of any such determination, together with the reasons therefor.

SEC. 8. *Appeals.* A denial by the Deputy Director of Information of any request for a record or records may be appealed by the person who made the request to the Director of Information. The appeal shall be made in writing within 15 days of the date of the Deputy Director's notice of his action. The Director will give written notice of the Office's final determination.

SEC. 9. *Inspection and copies.* A person who has requested available records shall be promptly notified that, upon payment of applicable fees, he may inspect and copy such records (or copies), and purchase copies or extracts thereof, in the office of the Deputy Director of Information, on business days from 9:30 a.m. to 5:00 p.m. Copies of such records may also be purchased by mail. The applicable fees are prescribed by the Director, Office of Plant and Operations, USDA.

Effective date. The provisions of this notice are effective on July 4, 1967.

HAROLD R. LEWIS,
Director of Information.

JUNE 29, 1967.

[F.R. Doc. 67-7639; Filed, July 3, 1967; 8:53 a.m.]

Rural Community Development Service

PUBLIC INFORMATION

The Rural Community Development Service (RCDS) hereby establishes the following rules for the implementation of 5 U.S.C. 552(a)(2) and 552(a)(3).

AVAILABILITY OF MATERIAL

Sec.

1 Memorandums, bulletins, Chairman's instructions.
2 Federal programs available to assist rural America.
3 Agreements with other Federal agencies.
4 Index.
5 Facilities for inspection; copies.

AVAILABILITY OF IDENTIFIABLE RECORDS

10 Requests.
11 Delegation of authority.
12 Available records.
13 Exempt records.
14 Determinations.
15 Appeals.
16 Inspection and copies.

AUTHORITY: The provisions hereof are issued under 5 U.S.C. 552, 559.

AVAILABILITY OF MATERIAL

SECTION 1. *Memorandums, bulletins, Chairman's instructions.* The RCDS acts as secretariat for the Rural Areas Development Board which issues from time to time memorandums, bulletins, Chairman's instructions, and related material for guidance of Rural Areas Development Board members and Technical Action Panels in initiating and implementing programs designed to improve rural areas.

SEC. 2. *Federal programs available to assist rural America.* The RCDS maintains a looseleaf binder as an in-service tool to identify the major Federal programs that are available to assist rural areas.

SEC. 3. *Agreements with other Federal agencies.* The RCDS enters into memorandums of understanding and other working arrangements with other Federal agencies to achieve cooperation and maximum benefits of programs available in rural areas.

SEC. 4. *Index.* The RCDS will maintain and make available for public inspection and copying a current index providing identifying information for all documents made available pursuant to sections 1, 2, and 3.

SEC. 5. *Facilities for inspection; copies.* Facilities for public inspection and copying of the material described in the foregoing sections will be provided in a reading area in the office of the Deputy Administrator of the RCDS in Room 203–E, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250. Copies of such material, except the looseleaf binder of Federal Programs Available to Assist Rural America, may be obtained in person or by mail. Applicable fees are prescribed in the regulations issued by the Director, Office of Plant and Operations, Department of Agriculture.

AVAILABILITY OF IDENTIFIABLE RECORDS

SEC. 10. *Requests.* Requests for records shall (a) be made to the Deputy Administrator, RCDS, Room 203–E, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, and (b) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail.

SEC. 11. *Delegation of authority.* Subject to section 15 the Deputy Administrator, RCDS, is authorized to act on behalf of the RCDS on all requests in accordance with 5 U.S.C. 552 as implemented hereby.

SEC. 12. *Available records.* The RCDS will promptly make available all hereinbefore mentioned records requested in accordance with section 10 except (a) the looseleaf binder described in section 5, and (b) exempt records described in section 13.

SEC. 13. *Exempt records.* Exempt records of the RCDS include matters that are:

(a) Specifically required by Executive order to be kept secret.

(b) Related solely to RCDS internal personnel rules and practices.

(c) Specifically exempted from disclosure by statute.

(d) Trade secrets and commercial or financial information obtained from a person and privileged or confidential. Among RCDS records in this class are trade secrets and such information obtained in connection with project feasibility studies.

(e) Intra-agency and inter-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the RCDS. Among records in this class are intra-agency memorandums or letters containing opinions, estimates, judgments, recommendations, or reports of internal deliberations relating to proposed projects in rural areas. Examples of such records are economic studies and analyses performed or prepared by the RCDS for the Economic Development Administration.

(f) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

SEC. 14. *Determinations.* The Deputy Administrator, RCDS, shall make promptly available any RCDS record as provided herein, which is requested in accordance with section 10, unless he determines that it is an exempt record. The Deputy Administrator shall give prompt written notice of any such determination.

SEC. 15. *Appeals.* A denial by the Deputy Administrator of any request for an RCDS record or records may be ap-

pealed by the person who made the request to the Administrator of RCDS. The appeal shall be made in writing within 15 days after the date of the Deputy Administrator's notice of denial. The Administrator will give written notice of RCDS's final determination.

SEC. 16. *Inspection and copies.* A person who has requested available records shall be promptly notified that, upon payment of applicable fees, he may inspect and copy such records, and purchase copies or extracts of such records which are for sale, in the office of the Deputy Administrator on business days from 9:30 a.m. to 5 p.m. Copies of such records also may be purchased by mail. The applicable fees are those prescribed in the regulations issued by the Director, Office of Plant and Operations, Department of Agriculture.

Effective date: The provisions hereof are effective on July 4, 1967.

Done at Washington, D.C., this 29th day of June 1967.

KENNETH M. BIRKHEAD,
Administrator of the Rural Community Development Services.

[F.R. Doc. 67-7641; Filed, July 3, 1967; 8:53 a.m.]

Cooperative State Research Service

ORGANIZATION, FUNCTIONS, AND AVAILABILITY OF INFORMATION

Organization and function. The Cooperative State Research Service is a coordinating and review staff located wholly in Washington, D.C., in the Administration Building, Department of Agriculture at 14th and Independence Avenue SW. Administration of CSRS includes an overall Administrator, an Associate Administrator, and three Assistant Administrators—one for formula funds, one for regional and nonformula funds and one for Cooperative Forestry Research. The staff is organized functionally under Directors of Research Programs for: Economics, Marketing, Rural and Community Development; Animal Science; Plant Science; Utilization; and, Human Nutrition and Consumer Use. The Service administers funds for payments and grants to State agricultural experiment stations and other eligible institutions for the support of research in agriculture, the rural home, the rural community and forestry. This administration involves supervision of the funds, and close advisory relations with the State agricultural experiment stations, schools of forestry, and other institutions eligible to receive funds. The agency participates in planning and coordination of research programs among the States and between the States and the U.S. Department of Agriculture.

Availability of staff manuals, instructions, progress reports and related material. The Cooperative State Research Service has three manuals for administrative use, all of which are available upon request to the public, including:

USDA Miscellaneous Publication 963 (August 1964)—Administrative Manual for the Hatch (Experiment Station) Act.

USDA Agriculture Handbook 324 (August 1966)—Administrative Manual for the McIntire-Stennis Cooperative Forestry Research Program.

CSRS–OD–1062 (November 1963)—Manual of Procedures for Cooperative Regional Research.

Descriptions of pertinent forms are included in the latter two manuals. Information on all other forms is available from agency officers.

CSRS will make available for public inspection and copying its administrative staff manuals and instructions to staff, progress reports and related material affecting any member of the public except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b).

Availability of identifiable records. Requests for CSRS records pursuant to 5 U.S.C. 552(a)(3), shall (1) be made in writing to, "Assistant to the Administrator, Cooperative State Research Service, U.S. Department of Agriculture, Washington, D.C. 20250," and (2) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail. Fees may be charged for furnishing information in accordance with Departmental schedule of fees for such services, published by the Director, Office of Plant and Operations.

CSRS will promptly make available all CSRS records requested except exempt records as herein described. Exempt records include the following:

(1) Matters that are related solely to the internal personnel rules and practices of the agency.

(2) Matters that are specifically exempted from disclosure by statute.

(3) Matters that are intraagency and interagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.

(4) Trade secrets and commercial or financial information obtained from a person and privileged or confidential. Among CSRS records in this class are: Comprehensive review reports, constituting recommendations of a panel which has been requested to join with a group, usually a department at a State station, for intensively reviewing their own research program with a view toward its improvement; State-station salary data, assembled, arranged and interpreted annually by CSRS in cooperation with State-station directors; and Research progress information, which by its very nature is provisional, subject to change in interpretation with the acquisition of additional data. CSRS advises persons seeking research progress information to contact the appropriate State-station director or forestry school executive for permission to use research conclusions.

(5) Matters that are personnel and medical files and similar files, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(6) Investigatory files compiled for law enforcement purposes, except to the extent available by law to a party other than an agency.

The Assistant to the Administrator, CSRS, shall make promptly available any CSRS record requested unless he determines that it is an exempt record. He shall give prompt written notice of any such determination, together with the reasons therefor.

A denial by the Assistant to the Administrator, CSRS, of any request for a CSRS record or records may be appealed, by the person who made the request, to the Administrator of CSRS. The appeal shall be made in writing within 15 days of the date of the Assistant to the Administrator's notice of his action. The Administrator will give written notice of CSRS final determination.

A person who has requested available records shall be promptly notified that upon payment of applicable fees, he may inspect and copy such records (or copy), and purchase copies or extractions thereof in the office of the Assistant to the Administrator, on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail.

Effective date. The provisions of this Notice, issued pursuant to 5 U.S.C. 552, 559, shall become effective July 4, 1967.

Done at Washington, D.C., this 30th day of June 1967.

T. C. BYERLY,
Administrator, Cooperative State Research Service.

[F.R. Doc. 67-7677; Filed, July 3, 1967; 8:54 a.m.]

Federal Extension Service

ORGANIZATION, FUNCTIONS, AND AVAILABILITY OF INFORMATION

A. *Organization—Central organization.* The Federal Extension Service is an agency of the U.S. Department of Agriculture and is located in Washington, D.C. The Federal Extesion Service is headed by an Administrator, assisted by a Deputy Administrator and four Assistant Administrators with programs conducted by eight divisions:

1. Division of Agricultural Sciences and Technology
2. Division of Community Resource Development
3. Division of Extension Research and Education
4. Division of 4-H and Youth Development
5. Division of Home Economics
6. Division of Marketing and Utilization Sciences
7. Division of Management Operations
8. Division of Personnel Development and Management

Field organizations. The Federal Extension Service carries out its responsibilities in cooperation with Extension Services of the State land-grant universities and colleges. The Federal and State organizations together are known as the Cooperative Extension Service. Each of the States, Puerto Rico, and the Virgin Islands has a Director of Extension who

represents jointly the Department of Agriculture and the State land-grant university or college. In each State, Puerto Rico, and the Virgin Islands, the organization consists of a State administrative, subject-matter, and supervisory staff with headquarters at the following addresses:

Auburn University, Auburn, Ala.
University of Alaska, College, Alaska
University of Arizona, Tucson, Ariz.
University of Arkansas, Little Rock, Ark.
University of California, Berkeley, Calif.
Colorado State University, Fort Collins, Colo.
University of Connecticut, Storrs, Conn.
University of Delaware, Newark, Del.
University of Florida, Gainesville, Fla.
University of Georgia, Athens, Ga.
University of Hawaii, Honolulu, Hawaii
University of Idaho, Moscow, Idaho
University of Illinois, Urbana, Ill.
Purdue University, Lafayette, Ind.
Iowa State University, Ames, Iowa
Kansas State University, Manhattan, Kans.
University of Kentucky, Lexington, Ky.
Louisiana State University, Baton Rouge, La.
University of Maine, Orono, Maine
University of Maryland, College Park, Md.
University of Massachusetts, Amherst, Mass.
Michigan State University, East Lansing, Mich.
University of Minnesota, St. Paul, Minn.
Mississippi State University, State College, Miss.
University of Missouri, Columbia, Mo.
Montana State University, Bozeman, Mont.
University of Nebraska, Lincoln, Nebr.
University of Nevada, Reno, Nev.
University of New Hampshire, Durham, N.H.
Rutgers—The State University, New Brunswick, N.J.
New Mexico State University, University Park, N. Mex.
New York State College of Agriculture, Ithaca, N.Y.
North Carolina State University, Raleigh, N.C.
North Dakota State University, Fargo, N. Dak.
Ohio State University, Columbus, Ohio
Oklahoma State University, Stillwater, Okla.
Oregon State University, Corvallis, Oreg.
The Pennsylvania State University, University Park, Pa.
University of Puerto Rico, Rio Piedras, P.R.
University of Rhode Island, Kingston, R.I.
Clemson University, Clemson, S.C.
South Dakota State University, Brookings, S. Dak.
University of Tennessee, Knoxville, Tenn.
Texas A&M University, College Station, Tex.
Utah State University, Logan, Utah
University of Vermont, Burlington, Vt.
College of the Virgin Islands, St. Thomas, V.I.
Virginia Polytechnic Institute, Blacksburg, Va.
Washington State University, Pullman, Wash.
West Virginia University, Morgantown, W. Va.
University of Wisconsin, Madison, Wis.
University of Wyoming, Laramie, Wyo.

County Extension offices are maintained in almost every county in the United States. Offices are usually at the county seat and located in post office buildings or county courthouses. Addresses and telephone numbers may be obtained by consulting local telephone directories. Each county office has a county agricultural agent. The number of county offices having home demonstration agents and 4–H club agents varies.

B. *Functions.* The Cooperative Extension Service, in carrying on a system of Extension work in agriculture, home economics, and related subjects, is responsible for helping people identify and solve problems in the fields of agriculture (including marketing), family living, youth development, and community resource development through the use of research findings of the Department of Agriculture and the State land-grant universities and colleges.

In carrying out its Cooperative Extension Service functions, the Federal Extension Service is responsible for:

1. The administration of the Smith-Lever Act as amended (7 U.S.C. 341–349).
2. Educational and demonstration work in cooperative farm forestry conducted under section 5 of the act of June 7, 1924, as amended by the act of October 26, 1949 (16 U.S.C. 568).
3. Educational and demonstration work of the Agricultural Marketing Act of 1946 (U.S.C. 1623–1627).
4. Educational leadership for the Department's farm safety educational program.
5. Providing a focal point of contact and working relationships with national town-country church leaders and demonstrational and interdenominational church organizations. This work is carried on in cooperation with other agencies of the Department and with the State Extension Services and other national, State, and local organizations.
6. Coordination of all educational activities of the Department, including examination and analysis of all such activities current and contemplated, review and approval of all educational activities or proposals prior to initiation, advice and consultation on planning with heads of agencies, and reports and recommendations to the Secretary.
7. Rendering educational and technical assistance to persons not receiving financial assistance under title 5 of the Housing Act of 1949, including Extension demonstrations.
8. Providing leadership and direct assistance to State Extension Services in planning, conducting, and evaluating Extension programs with Indians under a memorandum of agreement with the Bureau of Indian Affairs, dated May 1956, pursuant to the authority provided in section 601 of the act of June 30, 1932, as amended (31 U.S.C. 686).
9. Information and educational services essential to carrying out pre-emergency and emergency USDA defense operations through the State Extension Services.
10. Providing, in rural redevelopment areas, organizational and educational leadership for orderly development of local economics initiative. (Area Redevelopment Act (P.L. 87–27).)
11. Cooperating with land-grant colleges in furthering conservation and resource development education. State and county Extension organizations will, in turn, make appropriate arrangements for assistance to soil and water conservation districts.
12. Acting as the liaison between the Department and officials of the land-grant universities and colleges on all matters relating to Cooperative Extension work and educational activities relating thereto.
13. Administration of the Virgin Islands Extension Service program (48 U.S.C. 1409m–1409o).

Reservations. Reservations to the Secretary: Approval of selection of State Directors of Extension.

C. *Availability of information—Publications.* Publications prepared for the use of the public by State Extension Services and the Department of Agriculture on agriculture and related subjects are normally available at the State and county offices.

Records. The Federal Extension Service will make available to the public, upon request, all FES records except those which are exempted by 5 U.S.C. 552(b). Within exempt records are the following:

1. Records related solely to the internal personnel rules and practices of the agency.
2. Records that are specifically exempted from disclosure by statute.
3. Records that are trade secrets and commercial or financial information obtained from any person and privileged or confidential matter.
4. Interagency or intra-agency memorandums or letters which would not be available by law to a private party in litigation with the agency.
5. Personnel and medical files and similar files, the disclosure of which would constitute an invasion of personal privacy.

Requests. Requests for FES records shall be made in writing to the Director of the Information Services Staff, Federal Extension Service, Department of Agriculture, Washington, D.C. 20250, identifying each record sought with reasonable specificity. The request may be submitted in person or by mail. If the Director of the Information Services Staff determines that the record requested is exempt, he shall give prompt written notice of any such determination, together with reasons therefor.

Appeals. A denial by the Director of the Information Services Staff of any request for an FES record may be appealed to the FES Administrator by the person who made the request. The appeal shall be made in writing within 15 days of the date of the Director's notice of action. The Administrator of FES will give written notice of the final FES determination.

Inspection and copies. A person who has requested available records shall be promptly notified that upon payment of applicable fees he may inspect and copy such records and purchase copies or extracts thereof in the office of the Director on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. The applicable fees are prescribed by the Department of Agriculture in schedule of fees and charges for such services, published by the Director, Office of Plant and Operations.

(5 U.S.C. 552, 559)

Effective date. The provisions of this notice are effective on July 4, 1967.

Dated: June 29, 1967.

LLOYD H. DAVIS,
Administrator, Federal Extension Service.

[F.R. Doc. 67–7679; Filed, July 3, 1967; 8:54 a.m.]

Office of the General Counsel

ORGANIZATION, FUNCTIONS, AND AVAILABILITY OF INFORMATION

I. Organization and functions—A. *Washington, D.C., Office—1. Location.*

The central and principal office of the Office of the General Counsel of the U.S. Department of Agriculture is located in the South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

2. *Hours.* Office hours in Washington, D.C., are from 9 a.m. to 5:30 p.m., local time, Monday through Friday.

3. *The General Counsel.* The General Counsel, as chief law officer of the Department, is responsible for providing legal services for all programs, operations, and activities of the Department. He is assisted by a Deputy General Counsel and three Assistants General Counsel, each of whom is responsible for a portion of the legal work of the Department as assigned through several Divisions.

The Office of the General Counsel issues opinions on legal questions arising in the administration of the Department's programs; prepares or reviews administrative rules and regulations applicable to the public; drafts proposed legislation; prepares or interprets legal documents; prosecutes patent applications arising out of inventions by Department employees; examines titles to lands to be acquired by the Department or accepted as security for loans; and considers and determines claims by and against the United States arising out of the Department's activities.

In administrative proceedings for the promulgation of rules having the force and effect of law and in quasi-judicial hearings held in connection with the administration of various programs, the Department is represented by the General Counsel.

Civil litigation arising out of the Department's work is handled by the Department of Justice, with the Office of the General Counsel assisting in the preparation and trial of such cases, except that the General Counsel represents the Secretary of Agriculture in administrative proceedings involving freight rates on farm commodities and in appeals from the decisions of the Commission to the courts and, by special assignment represents the Department in certain classes of appellate litigation. Cases having criminal aspects are reviewed for the purpose of referring them to the Department of Justice.

B. *Field Offices.* Legal services outside Washington, D.C. are performed at various field offices under the supervision of Regional Attorneys and Attorneys-in-Charge. These offices are located in the following cities:

Albuquerque, N. Mex.	New York, N.Y.
Atlanta, Ga.	Ogden, Utah
Chicago, Ill.	Portland, Oreg.
Denver, Colo.	Raleigh, N.C.
Harrisburg, Pa.	St. Paul, Minn.
Kansas City, Mo.	San Francisco, Calif.
Little Rock, Ark.	Santurce, P.R.
Los Angeles, Calif.	Stillwater, Okla.
Milwaukee, Wis.	Temple, Tex.
Missoula, Mont.	

Addresses and telephone numbers of each office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

II. Availability of information—A. *General.* The Office of the General Counsel will make available all of its records for public inspection and copying, except exempt records as described in Part II B. Many of the records in the files of the Office of the General Counsel are obtained from other agencies of the Department of Agriculture and other departments and agencies of the U.S. Government for litigation and other purposes. Where the question of the availability of such record is determined to be primarily the responsibility of such other agency, the request will be referred to that agency for processing in accordance with that agency's regulations, and the person submitting the request shall be so notified. The decision of the responsible officer of that agency with respect to such record shall be honored by the Office of the General Counsel.

B. *Exempt records.* Exempt records of the Office of the General Counsel include the following:

1. Matters specifically required by Executive order to be kept secret.

2. Matters related solely to the internal personnel rules and practices of the Office of the General Counsel.

3. Matters specifically exempted from disclosure by statute.

4. Trade secrets and commercial or financial information obtained from any person and privileged or confidential.

5. Interagency or intraagency memoranda or letters which would not be available by law to a party other than an agency in litigation with the Department of Agriculture. Among the records in this category are memoranda, opinions, judgments, letters, and recommendations of the Office of the General Counsel.

6. Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

7. Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

C. *Procedure for obtaining information.* Requests for information should be directed in writing to the Executive Assistant to the General Counsel, Room 2031, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney-in-Charge. Requests should identify each record sought with reasonable specificity.

D. *Determinations.* The Executive Assistant to the General Counsel or the Regional Attorney or Attorney-in-Charge to whom a request is made, shall make records available, when requested in accordance with Part II–C., unless he determines that it is an exempt record. The Executive Assistant to the General Counsel, the Regional Attorney, or the Attorney-in-Charge shall give written notice of any such determination, together with the reasons therefor.

E. *Appeals.* A denial by the Executive Assistant to the General Counsel, the Regional Attorney, or Attorney-in-Charge of request for records may be appealed by the person who made the request to the General Counsel. The appeal shall be made in writing within 15 days from the date of denial. The General Counsel will give written notice of his final determination.

F. *Inspection and copies.* A person who has requested available records shall be promptly notified that, upon payment of applicable fees, he may inspect and copy such records and purchase copies or extracts thereof, in the Office of the Executive Assistant to the General Counsel or at a field office of the Office of the General Counsel, on business days within established office hours. Copies of such records may also be purchased by mail. The applicable fees are prescribed by regulations issued by the Director, Office of Plant and Operations.

(5 U.S.C. 552, 559)

III. *Effective date.* This notice shall become effective on July 4, 1967.

Done at Washington, D.C., this 29th day of June 1967.

JOHN C. BAGWELL,
General Counsel.

[F.R. Doc. 67-7680; Filed, July 3, 1967; 8:54 a.m.]

Office of Management Services

ORGANIZATION, FUNCTIONS, AND AVAILABILITY OF INFORMATION

Notice is hereby given for the guidance for the general public as to the organization, functions and availability of information of the Office of Management Services, pursuant to 5 U.S.C. 552, 559.

I. Organization and functions. The Office of Management Services, a staff agency of the Secretary is located in Washington, D.C. It is comprised of four Divisions: Administrative Services—responsible for procurement, property, space, communication, paperwork management, and related services; Budget and Finance—responsible for budgeting, accounting, and related financial management services; Information—responsible for writing, editing, and distribution of informational materials; Personnel—administers the personnel, organization, and related services. OMS does not have a field organization.

OMS is responsible for performing management support services to designated offices and agencies of the Department. The Office establishes broad policies and plans to effectively administer its management support programs so as to provide the best possible services to the agencies and offices it serves. OMS directs and coordinates the overall management support programs and related review programs necessary to meet the requirements of the programs of the offices and agencies served.

The following offices and agencies are serviced by OMS:

Office of the Secretary.
Office of Budget and Finance.

Office of the General Counsel.
Office of Hearing Examiners and Judicial Officer.
Office of Information.
Office of the Inspector General.
Office of Management Improvement,
Office of Personnel.
Office of Plant and Operations.
Commodity Exchange Authority.
Cooperative State Research Service.
Economic Research Service.
Forest Service Appeals Board.
National Agricultural Library.
Packers and Stockyards Administration.
Rural Community Development Service.
Staff Economists Group.
Statistical Reporting Service.

II. Availability of records. All records of OMS are available for public inspection and copying except exempt records which include the following:

A. Intraagency and interagency memorandums or letters which would not be available by law to a party other than an agency in litigation with OMS. This includes, but is not limited to: Agency and department estimates and supporting materials used in developing the President's budget; manuscripts, press releases and other current informational material being prepared for release.

B. Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

C. Trade secrets and commercial or financial information obtained from a person and privileged or confidential. This includes but is not limited to: Information received in expressed or implied confidence in connection with a contract or other benefit or service when release of the information would impair the legitimate interest of the person supplying the information.

D. Specifically required by Executive order to be kept secret.

E. Related solely to the internal personnel rules and practices of an agency.

F. Specifically exempted from disclosure by statute.

G. Investigator files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

OMS has in its possession many of the records of other agencies of the Department. Where the question of availability of a record is determined to be primarily the responsibility of such agency, the request will be referred to that agency for processing in accordance with that agency's regulations and the person submitting the request shall be so notified. The decision of the responsible officer of that agency with respect to such records shall be honored by OMS.

III. Requests for information. Requests for specifically identified records should be directed to the Chief, Records and Communications Branch, DAS, OMS, USDA, Washington, D.C. 20250. Copies of records may be obtained in person or by mail.

Records will be available for inspection and copying between the hours of 9:30 a.m. and 5 p.m.

IV. Fees. Fees for copying and searching will be in accordance with the Office of Plant and Operation's schedule of fees for such services.

V. Appeal procedure. A. Any person, from whom OMS records are withheld, may file an appeal with the Director, Office of Management Services. The appeal shall be filed within 15 days after being notified that the records are being withheld.

B. The appeal must be in writing, containing a statement of grounds upon which the appeal is based, and be signed by the applicant or his authorized representative.

C. The Director shall consider the appeal, determine availability of the records, and furnish the applicant written notice of his determination.

Effective date. This notice shall be effective July 4, 1967.

Dated: June 29, 1967.

J. C. COOPER, Jr.,
Director,
Office of Management Services.

[F.R. Doc. 67-7681; Filed, July 3, 1967; 8:54 a.m.]

Statistical Reporting Service

ORGANIZATION, FUNCTIONS AND AVAILABILITY OF SERVICE AND INFORMATION

ORGANIZATION AND FUNCTIONS

SECTION 1. *General.* The Statistical Reporting Service, hereinafter referred to as "SRS", is an Agency of the U.S. Department of Agriculture. The central headquarters office of SRS is located in Washington, D.C. There are 44 field offices located throughout the country.

SEC. 2. *Organization.* The headquarters organization in Washington consists of (1) the Administrator, Deputy Administrator, and Assistant Administrator, with supporting staff; (2) four Divisions; namely, Agricultural Estimates, Standards and Research, Survey and Data, and the Washington Data Processing Center; and (3) Crop Reporting Board. In the field, each of the SRS State offices is under a Statistician-in-Charge. All operating units report to the Administrator of the Service.

SEC. 3. *Functions.* SRS has three main areas of responsibility:

(a) Crop and livestock estimates. Work in this area includes: Making estimates of production, supply, price, and other aspects of the agricultural economy; conducting enumerative and objective measurement surveys; preparing and issuing official national and State estimates and reports of the Department relating to crops, livestock, dairy, prices, and miscellaneous data.

(b) Statistical research and service. Work in this area includes review, clearance, coordination, and improvement of statistics in the Department; research on the development of improved statistics in the Department; research on the development of improved statistical techniques used in gathering and evaluating statistical data; data processing activities, related systems analysis and research, and programing and processing of data; research on consumers' preferences for foods and fibers and their evaluation of quality, costs, and other factors involved in purchase of these products; and research projects conducted overseas by foreign research institutions under Public Law 480, the results of which are used to gain a better understanding of the market potential for U.S. products abroad.

(c) Services for other agencies. This work is done on a reimbursable or advance payment basis and includes collection and analysis of data on various agricultural subjects for a number of Department and other Federal agencies, as well as for State agencies and private organizations.

AVAILABILITY OF SERVICE, INFORMATION, STAFF MANUALS AND INSTRUCTIONS, AND RELATED MATERIAL

SEC. 4. *Requests.* In Washington, D.C., SRS published data and related information will be made available for public inspection and copying by the Office of Management Services, Division of Information, which handles the information office function for this Agency; or the Secretary, Crop Reporting Board, SRS. In the field, published data and related information will be made available for public inspection and copying by the Head of each SRS State field office. Addresses for these State field offices are:

Alabama—831 Aronov Building, 474 South Court Street, Montgomery 36104.
Alaska—Room 13, Severns Building, Palmer 99645.
Arizona—6445 Federal Office Building, Phoenix 85025.
Arkansas—362 Federal Building, Little Rock 72203.
California—Second Floor, 1220 N Street, Sacramento 95814.
Colorado—Room 11411, 1961 Stout Street, Denver 80202.
Florida—1222 Woodward Street, Orlando 32803.
Georgia—409A North Lumpkin Street, Athens 30601.
Hawaii—State Department of Agriculture Building, 1428 South King Street, Honolulu 96814.
Idaho—506 Eastman Building, Boise 83702.
Illinois—218 U.S. Post Office and Courthouse Building, Springfield 72705.
Indiana—Agriculture Experiment Station, Purdue University, West Lafayette 47907.
Iowa—506 Iowa Building, Des Moines 50307.
Kansas—200 Post Office Building, Topeka 66601.
Kentucky—434 Federal Building, Louisville 40202.
Louisiana—U.S. Department of Agriculture Building, 3727 Government Street, Alexandria 71301.
Maryland—326-330 Symons Hall, University of Maryland, College Park 20740.
Michigan—305 Federal Building, Lansing 48933.
Minnesota—560 State Office Building, St. Paul 55101.
Mississippi—1018 Woolfolk Building, Jackson 39205.
Missouri—209 Federal Building, Columbia 65201.

Montana—McGaffick Steamboat Block, 616 Helena Avenue, Helena 59601.
Nebraska—211 Post Office Building, Lincoln 68501.
Nevada—Max C. Fleishman Agriculture Building, Room 232, Reno 89507.
New England—1305 Post Office Building, Boston, Mass. 02109.
New Jersey—U.S. Department of Agriculture, Trenton 08625.
New Mexico—1480 North Main, Second Floor, Denison Building, Las Cruces 88001.
New York—Department of Agriculture and Markets, State Campus, Albany 12226.
North Carolina—207 State Department of Agriculture Building, Raleigh 27602.
North Dakota—210 Post Office Building, Fargo 58103.
Ohio—217 Old Federal Building, Columbus 43215.
Oklahoma—504 Post Office Building, Oklahoma City 73102.
Oregon—304 U.S. Courthouse, Portland 97205.
Pennsylvania—Pennsylvania Crop Reporting Service, Room G–19, 2301 North Cameron Street, Harrisburg 17120.
South Carolina—3300 Forest Drive, Columbia 29204.
South Dakota—312 South Minnesota Avenue, Sioux Falls 57101.
Tennessee—697 U.S. Courthouse, Nashville 37202.
Texas—Room 505, 300 East 8th Street, Austin 78701.
Utah—Room 4418 Federal Building, 125 South State Street, Salt Lake City 84111.
Virginia—203 North Governor Street, Room 409, Richmond 23219.
Washington—348 Federal Office Building, Seattle 98104.
West Virginia—State Department of Agriculture, Charleston 25305.
Wisconsin—4802 Sheboygan Avenue, Room 205–B, Madison 53702.
Wyoming—Room 7008, Post Office and Courthouse Building, Cheyenne 82001.
Illinois—(Chicago Dairy Office) Room 1300–A New Post Office Building, 433 West Van Buren Street, Chicago 60607.

Manuals and procedural instructions are issued periodically. SRS will make available for public inspection and copying its administrative staff manuals and instructions to staff affecting any member of the public except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b). Requests for these documents should be made to the Chairman, Crop Reporting Board, Washington, D.C. The Scope and Methods of the SRS, USDA, are documented in Miscellaneous Publication No. 967. This publication is available from the Superintendent of Public Documents, U.S. Government Printing Office, Washington, D.C. 20402 for $1.25.

SEC. 5. *Facilities for inspection; copies.* Facilities for public inspection and copying of the material described in the foregoing sections will be provided by the Chairman, Crop Reporting Board, Washington, D.C., in Washington, D.C., and the Head of each SRS field office in the field. Copies of such material may also be obtained in person or by mail. Applicable fees are prescribed by the Department of Agriculture's schedule of fees, published by the Director, Office of Plant and Operations.

SEC. 6. *Disclosure of identifiable records.—Requests.* Requests for SRS records, pursuant to 5 U.S.C. 552(a)(3), shall (1) be made in writing to the Deputy Administrator, Office of the Administrator, South Building, Room 2047, U.S. Department of Agriculture, Washington, D.C. 20250, and (2) identify each record sought with reasonable specificity. Requests may be submitted in person or by mail.

Delegation of authority. The Deputy Administrator, Office of the Administrator, SRS, is authorized to act, on behalf of SRS, on all such requests in accordance with 5 U.S.C. 552, as implemented by this subpart.

Available records. SRS will promptly make available all SRS records requested except records as described in the following paragraph.

Exempt records. Exempt records of SRS include the following:

(a) Matters that are related solely to the internal personnel rules and practices of the agency.

(b) Matters that are specifically exempted from disclosure by statute.

(c) Matters that are trade secrets and commercial or financial information obtained from a person and privileged or confidential. Among SRS records in this class are (1) statistical data voluntarily submitted to the Agency by farmers and business enterprises associated with or servicing agriculture, and (2) summaries of statistical survey data, computed statistical indications, and associated statistical estimating and forecasting tools.

(d) Matters that are intraagency and interagency memorandums or letters which would not be available by law.

(e) Matters that are personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Determinations. The Deputy Administrator, OA, SRS, shall make promptly available any SRS record requested unless he determines that it is an exempt record. The Deputy Administrator shall give prompt written notice of any such determination, together with the reasons therefor.

Appeals. A denial by the Deputy Administrator, OA, of any request for an SRS record or records may be appealed by the person who made the request to the Administrator of the Statistical Reporting Service. The appeal shall be made in writing within 15 days of the date of the Deputy Administrator's notice of his action. The Administrator will give written notice of SRS's final determination.

Inspection and copies. A person who has requested available records shall be promptly notified that, upon payment of applicable fees, he may inspect and copy such records (or copies), and purchase copies or extracts thereof, in the office of the Deputy Administrator, OA, on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. The applicable fees are prescribed by the Department of Agriculture's schedule of fees published by the Director, Office of Plant and Operations.

(5 U.S.C. 552, 559)

Effective date. The provisions of this document are effective on July 4, 1967.

HARRY C. TRELOGAN,
Administrator of the Statistical Reporting Service.

JUNE 30, 1967.

[F.R. Doc. 67–7662; Filed, July 3, 1967; 8:55 a.m.]

Soil Conservation Service

AVAILABILITY OF INFORMATION

The following regulations pertaining to the availability of information are published in accordance with the requirements and pursuant to the authority of sections 552, 559 of Title 5, United States Code.

Request for examination or copy of records—General. Requests for examination and copying of a record or for copies of records shall be made to the Deputy Administrator for Management, Soil Conservation Service, U.S. Department of Agriculture, Washington, D.C., or to the State Conservationist in any of the listed State Offices.

SOIL CONSERVATION SERVICE—STATE OFFICE LOCATIONS

Soil Conservation Building, Post Office Box 311, Auburn, Ala. 36830.
Severns Building, Post Office Box F, Palmer, Alaska 99645.
230 North First Avenue, Federal Building, Phoenix, Ariz. 85025.
Federal Office Building, Room 5401, Little Rock, Ark. 72201.
Tioga Building, 2020 Milvia Street, Berkeley, Calif. 94704.
12417 Federal Building, Denver, Colo. 80202.
Old Bookstore Building, Route 195, Storrs, Conn. 06268.
501 Academy Street, Post Office Box 418, Newark, Del. 19711.
Federal Building, Post Office Box 1208, Gainesville, Fla. 32601.
Old Post Office Building, Post Office Box 832, Athens, Ga. 30601.
Alexander Young Building, Room 440, Honolulu, Hawaii 96813.
5263 Emerald Street, Post Office Box 38, Boise, Idaho 83701.
200 West Church Street, Champaign, Ill. 61820.
311 West Washington Street, Indianapolis, Ind. 46204.
Iowa Building, 505 Sixth Avenue, Des Moines, Iowa 50309.
760 South Broadway, Post Office Box 600, Salina, Kans. 67402.
1409 Forbes Road, Lexington, Ky. 40505.
3737 Government Street, Post Office Box 1630, Alexandria, La., 71301.
USDA Building, University of Maine, Orono, Maine 04473.
Hartwick Building, Room 522, 4321 Hartwick Road, College Park, Md. 20740.
27–29 Cottage Street, Amherst, Mass. 01002.
1405 South Harrison Road, East Lansing, Mich. 48823.
517 Federal Courts Building, St. Paul, Minn. 55102.
Milner Building, Post Office Box 610, Jackson, Miss. 39205.
Parkade Plaza Shopping Center, Post Office Box 459, Columbia, Mo. 65201.
Federal Building, Post Office Box 970, Bozeman, Mont. 59715.
134 South 12th Street, Lincoln, Nebr. 68508.
Federal Building, Durham, N.H. 03824.

1370 Hamilton Street, Somerset, N.J. 08873.
Midtown Plaza, Room 400, 700 East Water Street, Syracuse, N.Y. 13210.
517 Gold Avenue, SW., Post Office Box 2007, Albuquerque, N. Mex.
U.S. Post Office Building, Room 234, Post Office Box 4850, Reno, Nev. 89505.
1330 St. Mary's Street, Post Office Box 12045, Raleigh, N.C. 27605.
Federal Building, Post Office Box 1458, Bismarck, N. Dak. 58501.
311 Old Federal Building, Third and State Streets, Columbus, Ohio 43215.
Agriculture Center Building, Farm and Admiral Road, Stillwater, Okla. 74074.
Washington Building, 1216 Southwest Washington Street, Portland, Oreg. 97205.
Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa. 17101.
Caribbean Area, Post Office Box 13637, Santurce Station, San Juan, P.R. 00908.
316 Post Office Annex (or Storrs, Conn. address), Providence, R.I. 02903.
Federal Building, 901 Sumter Street, Columbia, S.C. 29201.
239 Wisconsin Avenue, SE., Post Office Box 1357, Huron, S. Dak. 57350.
561 U.S. Courthouse, Nashville, Tenn. 37203.
16–20 South Main Street, Post Office Box 648, Temple, Tex. 76502.
4012 Federal Building, 125 South State Street, Salt Lake City, Utah 84111.
19 Church Street, Burlington, Vt. 05401.
Federal Building, Post Office Box 10026, Richmond, Va. 23240.
Bon March Building, Spokane, Wash. 99201.
209 Prairie Avenue, Post Office Box 865, Morgantown, W. Va. 26505.
4601 Hammersley Road, Post Office Box 4248, Madison, Wis. 53701.
Tip Top Building, 345 East Second Street, Post Office Box 340, Casper, Wyo. 82602.

Only those matters pertaining to the particular State and matters of general application will be available in each State Office.

Staff manuals, handbooks, and related material. The Soil Conservation Service from time to time issues administrative and technical manuals, handbooks, and memorandums pertaining to its assigned programs and functions within the Department of Agriculture.

Manuals and handbooks are appropriately indexed, and also contain related forms used in the carrying out of the respective programs for which they are issued.

The Soil Conservation Service will make available for public inspection and copying (1) all final opinions made in adjudication of cases; (2) those statements of policy and interpretations which have been adopted by the Soil Conservation Service and not published in the FEDERAL REGISTER; and (3) its administrative and technical staff manuals and instructions to staff that affect any member of the public, except those exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b).

Current index. Current indices to all administrative staff manuals and other material required to be made public pursuant to 5 U.S.C. 552(a) will be made available in the State offices and the Office of the Deputy Administrator for Management for public inspection and copying.

Facilities for inspection. Facilities for public inspection and copying of the material mentioned above will be provided in the respective State offices and in the Office of the Deputy Administrator for Management.

Available records. The Soil Conservation Service will promptly make available identifiable records which are requested with reasonable specificity, except those exempt as described herein.

Requests. Requests for information and material pertaining to specific programs being carried out in the respective States should first be made to the State Conservationist of the State. Examination of records may be made at any of the listed locations at any time during regular business hours. Copies of available records or extracts will be furnished and the recipient charged, where appropriate, in accordance with the fee schedule established by the Director, Office of Plant and Operations, Department of Agriculture.

Restrictions on availability. All Soil Conservation Service opinions and orders, statements of policies and interpretations thereof, staff manuals, handbooks and related instructions, and other Agency records will be made available to the public upon request to either the Deputy Administrator for Management of the Soil Conservation Service or to the State Conservationist of the respective States, except exempt records which include the following:

1. Specifically required by Executive order to be kept secret.

2. Related solely to the internal personnel rules and practices of an agency.

3. Specifically exempted from disclosure by statute.

4. Trade secrets and commercial or financial information obtained from a person and privileged or confidential. For example, information contained in Farm Plans showing the planned operation of the farm enterprise, or other information showing the scope of farm operations, including the boundaries, would not be available to the public.

5. Interagency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.

6. Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

7. Geological and geophysical information and data, including maps, concerning wells.

Appeals. An applicant denied access to available records may appeal in writing to the Administrator of the Soil Conservation Service, whose decision shall be final.

Scope. These regulations deal with only records in being and in the possession or control of the Soil Conservation Service and impose no obligation to compile or procure a record in response to a request.

Effective date: July 4, 1967.

Dated: June 30, 1967.

KENNETH E. GRANT,
Acting Administrator,
Soil Conservation Service.

[F.R. Doc. 67-7690; Filed, July 3, 1967; 8:55 a.m.]

International Agricultural Development Service

ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Pursuant to the authority contained in 5 U.S.C. 552 and 559, there is hereby published the Statement of Organization, Functions, and Delegations of Authority of the International Agricultural Development Service.

SECTION 1. *General.* The International Agricultural Development Service, hereinafter referred to as "IADS," was established August 5, 1963, by the Secretary of Agriculture pursuant to the authority vested in him by section 161, Revised Statutes, 5 U.S.C. 22, and Reorganization Plan No. 2 of 1953. The central office of IADS is located at Washington, D.C., in the South Building of the Department of Agriculture.

SEC. 2. *Functions.* IADS is responsible for the general administration and coordination of the Department's responsibilities and activities in foreign technical assistance and training programs, including those authorized under sections 301 and 302 of the U.S. Information and Educational Exchange Act of 1948, 22 U.S.C. 1451–1452; the Foreign Assistance Act of 1961, P.L. 87–195, as amended, and the Mutual Educational and Cultural Exchange Act of 1961, P.L. 87–256, as amended. IADS is responsible for developing and maintaining effective relationships with international and U.S. organizations in planning and carrying out such programs. Specifically, in carrying out its responsibilities, IADS (a) provides leadership in the formulation of current and long-range policies and plans for carrying out technical assistance and agricultural development responsibilities abroad and related activities; (b) develops and maintains effective relationships with the Agency for International Development and other appropriate public and private U.S. and international organizations with respect to planning and carrying out assistance and training programs; (c) coordinates the resources of the Department and expedites the application of such resources in the planning, review, evaluation, and operation of country or regional agricultural development projects and activities for which the Department is given responsibility, including the orientation of U.S. personnel and the training of foreign nationals; (d) coordinates the recruitment and assignment of Department personnel on detail or loan to the Agency for International Development, the Food and Agriculture Organization of the United Nations, and similar organizations under agreements between the Department and such organizations; and (e) coordinates the implementation of Government-sponsored agricultural exchange programs.

SEC. 3. *Organization.* The Administrator is responsible to the Assistant Secretary for International Affairs for the general direction and supervision of programs assigned to IADS. IADS consists of the Administrator and the following staff units:

(a) *Deputy Administrator.* The Deputy Administrator assists the Administrator in formulating and administering the policies and programs of IADS. In the absence or unavailability of the Administrator, the Deputy Administrator exercises the powers and performs the duties of the Administrator.

(b) *Director, Foreign Training Division.* The Director of the Foreign Training Division is responsible for coordinating the resources of the Department in the orientation of U.S. personnel and the training of foreign nationals.

(c) *Regional Coordinators.* The Regional Coordinators have responsibility within specific geographic areas for the administration of assigned IADS programs.

(d) *Information Officer.* The Information Officer administers the information service program of IADS, including press releases, reports, and informational material for authorized dissemination to the public.

SEC. 4. *Delegations of Authority.* The Administrator formulates and administers programs assigned to IADS under delegated authority from the Secretary of Agriculture, 29 F.R. 16210. This includes authority to execute any document, authorize any expenditure, promulgate any rule, regulation, order, or instruction required by law or deemed by him to be necessary and proper to the discharge of such functions. This authority is exercised under the general direction and supervision of the Assistant Secretary for International Affairs and is subject to the general responsibilities of the Secretary to the President and to Congress. The Administrator may delegate his authority and provide for redelegation of such authority to appropriate officers and employees. However, in no case does any delegation of authority to the Administrator preclude the Secretary, Under Secretary, or the appropriate Assistant Secretary from exercising any of the powers or functions so delegated.

SEC. 5. *Availability of records and information.* Any person desiring information or wishing to make submittals or requests with respect to the programs and functions of IADS should address his request to the Information Officer, IADS, Department of Agriculture, Washington, D.C. 20250. Records of IADS are available for examination in accordance with regulations governing the availability of records issued by the Secretary of Agriculture and the Administrator, 7 CFR Parts 1 and 2101, as amended.

Signed at Washington, D.C., this 30th day of June 1967.

LESTER R. BROWN,
Administrator, International Agricultural Development Service.

[F.R. Doc. 67-7721; Filed, July 3, 1967; 8:55 a.m.]

Economic Research Service

ORGANIZATION, FUNCTIONS AND AVAILABILITY OF INFORMATION

Notice is hereby given for the guidance of the general public as to the organization, functions, and availability of information of the Economic Research Service pursuant to 5 U.S.C. 552, 559.

I. *Organization and functions.* The Economic Research Service (ERS) conducts economic research relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in agriculture, adjustments, costs and returns in farming, and farm finance; and for analyses of supply and demand for farm products in foreign countries and their effect on prospects for U.S. exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of U.S. farm products.

ERS is composed of the following seven divisions:

Economic and Statistical Analysis Division.
Economic Development Division.
Farm Production Economics Division.
Foreign Development and Trade Division.
Foreign Regional Analysis Division.
Marketing Economics Division.
Natural Resource Economics Division.

The central office of ERS is located at Washington, D.C., but a substantial part of the research program is carried on at various State Agricultural Experiment Stations. One field office is maintained at the New Post Office Building, Denver, Colo.

II. *Public information*—A. *Availability of records.* Records developed by the Economic Research Service are available for public inspection or copying except exempt records which include the following:

(1) Matters that are specifically required by Executive Order to be kept secret.

(2) Matters that are related solely to the internal personnel rules and practices of ERS.

(3) Matters that are specifically exempted from disclosure by statute.

(4) Matters that are trade secrets and commercial or financial information obtained from any person and privileged or confidential. Among ERS records in this class are information furnished voluntarily by individuals or firms, relating to their farm or business operations, for use in making statistical analysis as a foundation for official estimates and reports; records of economic research and analysis including tabulation sheets, punch cards, and other working materials derived from confidential information supplied by individuals or firms; and information received in expressed or implied confidence in connection with a contract or service, when release of the information would impair the legitimate interests of the person supplying the information.

(5) Matters that are interagency or intraagency memorandums or letters which would not be available by law to a private party in litigation with ERS. Such ERS records would include analyses of the Outlook and Situation Board prior to formal release; listings, tabulations, charts, notes and all other pertinent material for use in connection with such estimates and reports; and analyses, data, and other materials in draft manuscripts being prepared for release, prior to actual release.

(6) Matters that are personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(7) Matters that are investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

B. *Requests for information.* All published information, including bulletins, circulars, monographs, and research periodicals, can be obtained from the Division of Information, Office of Management Services, U.S. Department of Agriculture, Washington, D.C. 20250, or the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

All requests for nonexempt unpublished records are to be directed to the Deputy Administrator, Program Management, South Agriculture Building, U.S. Department of Agriculture, Washington, D.C. 20250. Each request should identify the record sought with reasonable specificity.

Reasonable facilities will be provided for inspection and copying of records in the office of the Deputy Administrator on business days between the hours of 9:30 a.m. and 5 p.m.

C. *Fees.* All published information is free of charge except for that obtained from the Superintendent of Documents.

Fees for copying and searching of unpublished records will be in accordance with a schedule of fees for such services prepared by the Office of Plant and Operations.

D. *Appeals.* Any person from whom ERS records are withheld may file an appeal with the Administrator, Economic Research Service. The appeal should be filed within 15 days after being notified that the records are being withheld.

The appeal must be in writing and must contain a statement of grounds upon which the appeal is based, and be signed by the applicant or his authorized representative.

The Administrator shall consider the appeal, determine availability of the records, and furnish the applicant written notice of his determination.

E. *Effective date.* These regulations shall become effective July 4, 1967.

M. L. UPCHURCH,
Administrator,
Economic Research Service.

JUNE 30, 1967.

[F.R. Doc. 67-7723; Filed, July 3, 1967; 8:55 a.m.]

Office of Personnel

ORGANIZATION, FUNCTIONS AND AVAILIBILITY OF INFORMATION

Notice is hereby given for the guidance for the general public as to the organization, functions and availability of information of the Office of Personnel, pursuant to 5 U.S.C. 552, 559.

I. *Organizaiton and functions.* The Office of Personnel, a staff agency of the Secretary, is located in Washnigton, D.C. It is organized into divisions which carry out the functions described below.

This Office has the responsibility for the personnel management program of the Department. Department-wide leadership, supervision, and coordination are provided in organization; classification and standards; salary and wage administration; examinations and employment; personnel and records security; standards of employee conduct; discipline; employee relations; appeals; employee development; health; safety and welfare; incentive awards; employee-management relations; personnel legislation; personnel research; employee fringe benefits; inter-group programs; cost reduction; and other related personnel activities.

The Office of Personnel does not have a field organization.

II. *Availability of records.* All records of the Office of Personnel are available for public inspection and copying except exempt records which include the following:

A. Intraagency and interagency memorandums or letters which would not be available by law to a party other than an agency in litigation with OP. This includes but is not limited to: Agency and department estimates and supporting materials used in developing the President's budget.

B. Specifically required by Executive Order to be kept secret.

C. Related solely to the internal personnel rules and practices of an agency.

D. Specifically exempted from disclosure by statute.

E. Trade secrets and commercial or financial information obtained from a person and privileged or confidential.

F. Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

G. Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency.

The Office of Personnel has in its possession many of the records of other agencies of the Department and other Departments and Agencies of the U.S. Government. Where the question of availability of a record is determined to be primarily the responsibility of such agency, the request will be referred to that agency for processing in accordance with that agency's regulations and the person submitting the request shall be so notified. The decision of the responsible officer of that agency with respect to such record shall be honored by the Office of Personnel.

III. *Requests for information.* Requests for specifically identified records or publications should be directed to the Chief, Security and Employee Conduct Division, OP, USDA, Washington, D.C. 20250.

Copies of records may be obtained in person or by mail.

Records will be available for inspection and copying between the hours of 9:30 a.m. and 5 p.m.

IV. *Fees.* Fees for copying and searching will be in accordance with the Office of Plant and Operation's schedule of fees for such services.

V. *Appeal procedure.* A. Any person, from whom Office of Personnel records are withheld, may file an appeal with the Director, Office of Personnel. The appeal shall be filed within 15 days after being notified that the records are being withheld.

B. The appeal must be in writing, containing a statement of grounds upon which the appeal is based, and be signed by the applicant or his authorized representative.

C. The Director shall consider the appeal, determine availability of the record, and furnish the applicant written notice of his determination.

Effective date: This notice shall be effective July 4, 1967.

Dated: June 30, 1967.

CARL B. BARNES,
Director, Office of Personnel.

[F.R. Doc. 67-7724; Filed, July 3, 1967; 8:56 a.m.]

Office of Plant and Operations

ORGANIZATION, FUNCTIONS AND AVAILABILITY OF INFORMATION

Notice is hereby given for the guidance of the general public as to the organization, functions, and availability of records in the Office of Plant and Operations, U.S. Department of Agriculture, pursuant to 5 U.S.C. 552, 559.

SECTION 1. *Organization and functions.* The Office of Plant and Operations is a staff agency of the Department of Agriculture located in Washington, D.C. It is comprised of the following units:

Office of the Director.
Contract and Procurement Management Division.
Real Estate Management Division.
Secretary's Records and Communications Division.
Service Operations Division.
Supply and Property Management Division.

The Office is supervised by the Director of Plant and Operations. He is responsible for planning and administering Department programs, including the development and supervision of uniform policies, standards, techniques, and procedures, relating to certain departmental management and service operations and liaison activities, as follows:

a. *Real estate management.* The management of real property and building construction, including acquisition, utilization, maintenance, and construction, and related telecommunications.

b. *Contract and procurement management.* The contracting for and procurement of administrative and operating supplies, services, and construction, and for the related programs of Small Business, Labor Surplus Area Assistance, and Labor Standards.

c. *Supply and property management.* All phases of supply administration and management, including utilization, distribution, transportation, and disposition of personal property and services required in the administration of Department programs.

d. *Mail management.* The review and implementation of postal regulations and procedures including compliance with the ZIP Code program, and coordination of internal mail delivery systems.

e. *Departmental service operations.* The Director of Plant and Operations provides certain centralized Departmental services in the District of Columbia, including reproduction, supply, telephone, telegraph, mail, automated mailing lists, and excess property pool. He provides central records service for the Secretary's Office, including correspondence control, records maintenance, forms and directives, related management support, and technical consulting service in certain fields of reproduction.

f. *Government liaison activities.* The Director of Plant and Operations provides liaison for the Department of Agriculture with the General Services Administration, Post Office Department, and other Government agencies, on all matters pertinent to his operations.

g. *Other activities.* The Director of Plant and Operations has custody of and responsibility for the proper use of the Official Seal of the Department, and prescribes rules regarding the use of the Official Flag of the Secretary of Agriculture.

Office hours of duty are from 9 a.m. to 5:30 p.m. The Office of Plant and Operations has no field activities.

SEC. 2. *Availability of identifiable records.* All records of the Office of Plant and Operations are available for inspection and copying except exempt records, which include the following:

(a) Matters specifically required by Executive order to be kept secret.

(b) Matters related solely to the internal personnel rules and practices of the Department.

(c) Matters specifically exempted from disclosure by statute.

(d) Trade secrets and commercial or financial information obtained from any person and privileged or confidential.

(e) Interagency or intra-agency memoranda or letters which would not be available by law to a party other than

an agency in litigation with the Department.

SEC. 3. *Requests for records.* Requests for records of the Office of Plant and Operations may be made, in writing or in person, to the Chief, Secretary's Records and Communications Division, Office of Plant and Operations, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250. Each request shall be reasonably specific in order to properly identify the record(s) sought.

SEC. 4. *Determination.* The Chief, Secretary's Records and Communications Division, shall make records available when requested in accordance with section 3, unless he determines that it is an exempt record. The Chief, Secretary's Records and Communications Division, shall give written notice of any such determination, together with the reasons therefor.

SEC. 5. *Appeals.* A denial by the Chief, Secretary's Records and Communications Division, for a record in the custody of the Office of Plant and Operations may be appealed by the person who made the request to the Director of Plant and Operations. The appeal shall be made in writing within 15 days of the date of the notice of denial. The Director of Plant and Operations will give written notice of the final determination of the Office of Plant and Operations.

SEC. 6. *Inspection and copying.* A person requesting available records may inspect them, and, upon payment of applicable fees, copy them, in the office of the Chief, Secretary's Records and Communications Division, on business days from 9:30 a.m. to 5 p.m. Copies of such records may also be purchased by mail. The applicable fees are prescribed by the Director, Office of Plant and Operations, U.S. Department of Agriculture.

Effective date. The provisions of this notice are effective on July 4, 1967.

Dated: June 30, 1967.

ELMER MOSTOW,
Director of
Plant and Operations.

[F.R. Doc. 67-7726; Filed, July 3, 1967; 8:56 a.m.]

AVAILABILITY OF INFORMATION

Fee Schedule

Pursuant to the authority delegated to the Director, Office of Plant and Operations, in Title 7, Code of Federal Regulations § 1.2b, there is published the following:

FEE SCHEDULE

SECTION 1. *General.* This notice sets forth the policy on providing copies of records, including photographic reproductions, microfilm, maps and mosaics, related services, and the fees therefor. The agencies of the Department will be guided by these procedures in making copies available to the public, and in the collection of appropriate fees.

SEC. 2. *Facilities.* Records and related services are available at the locations specified by the agencies in their statements of organization and services. Each agency establishes procedures to facilitate public inspection and copying of records. Any materials offered for sale by the Government Printing Office should be purchased from that source. Departmental agencies will not stock such materials for public sale.

Agencies do not stock copies of forms and publications or maintain records at any facility which does not of itself require these materials in its operations.

SEC. 3. *Fees for materials and services.* All agencies of the Department shall be guided by the general fees set forth herein. Any changes or additions to this general schedule of charges required by an agency shall be made by proposed amendments to this schedule. Agencies may set their own fees on specialized materials, such as printouts, directives, handbooks, building plans, etc. However, where applicable, single printed sheets or forms shall conform to the rates set for forms.

SEC. 4. *Waiver of fees.* (For photographic reproductions see sec. 14.) Except as specifically noted in the fee schedules, fees may be waived under the following conditions:

a. The total cost of collecting the fees would be an unduly large part of the receipts from the activity (individual collection of less than $1 may be administratively waived).

b. The furnishing of the service without charge is an appropriate courtesy to a foreign country or international organization; or comparable fees are set on a reciprocal basis with a foreign country.

c. The recipient is engaged in a nonprofit activity designed for the public safety, health, or welfare.

d. Payment of the full fee by a State, local government, or nonprofit group would not be in the interest of the program.

SEC. 5. *Fees not to be charged.* (For photographic reproductions see Sec. 14.) No charge shall be made for services when the service can be primarily considered as benefiting the general public. Fees will not be charged when filling request for other Department or Government agencies, provided quantities requested are reasonable in number. Members of the public may provide their own copying equipment, in which case no copying fee will be charged.

No charge will be made by any agency of the Department for any notices, decisions, orders or other material required by law to be served on a party in any proceedings or matter before any Department agency.

SEC. 6. *Limitations of copies.* Agencies may restrict numbers of photocopies and directives furnished the public to one copy of each page. Copies of forms provided the public shall also be held to the minimum practical. Persons requiring any large quantities should be encouraged to take single copies to commercial sources for further appropriate reproduction.

When transcripts are requested which have been provided the Department under a reporting service contract which requires that copies of transcripts be sold only by the contractor, the public may be shown a copy of the transcript. However, the agency shall refer the public to the contractor for purchase of copies.

SEC. 7. *Searches.* Because of the nature of the Department's business and records the normal location of a document in a file or other facility will not be considered a search. This would be the same as quickly locating a piece of material for purposes of answering a letter or telephone inquiry, and is based on the Department's obligation to respond to requests furnishing reasonably specific description of the record.

Where a requested record is not discovered by normal location efforts, the office will notify the requester of that fact and require payment of the estimated search charge as prescribed in the fee schedule in advance before further efforts are undertaken to locate the requested record. Such searches shall be limited by availability of time and staff to perform them and to locations where the record would reasonably be expected to be found.

SEC. 8. *Payments of fees and charges.* Payments will be made to the fullest extent possible in advance or at the time of the transaction. Except as otherwise stipulated by agency procedures, payment shall be made by check, draft, or money order made payable to Treasurer of the United States, but small amounts may be paid in cash, particularly where services are performed in response to a visit to a Department office.

SEC. 9. *General fees.*

Class of service	Unit	Price	Minimum
(a) Photocopies 8½ x 14 inches or less	Each	$0.25	(1)
(b) Forms and related material 8½ x 14 inches or less.	do	$0.05	(1)
(c) Certifications	do	$1 (additional to any other charge)	$1.
(d) Authentications (with Department seal)	do	$2 (additional to any other charge)	2.
(e) Searches	do	$1 each 15 minutes or fraction thereof.	1.
(f) An additional handling charge of $0.50 for each order may be imposed when a request must be sent to another office for filling, or request is handled by mail.			

[1] No minimum.

SEC. 10. *Photographic reproduction, microfilm, mosaic, and maps.* Reproduction of such aerial or other photographic microfilm, mosaic, and maps as have been obtained in connection with the authorized work of the Department may be sold at the estimated cost of furnishing such reproductions as prescribed herein.

SEC. 11. *Agencies which furnish photographic reproductions—a. Aerial photographic reproductions.* The following agencies of the Department furnish aerial photographic reproductions:

Agricultural Stabilization and Conservation Service.
Forest Service.
Soil Conservation Service.

b. *Other photographic reproductions.* Other types of photographic reproductions may be obtained from the following agencies of the Department:

Agricultural Stabilization and Conservation Service.
Forest Service.
Office of Information.
Soil Conservation Service.
National Agricultural Library.

SEC. 12. *Restrictions on furnishing photographic reproductions.* Photographic reproductions shall not be furnished:

a. If such reproductions are exempt from disclosure under the agency's regulations.

b. If they are to be prepared from classified negatives unless approval to furnish such reproductions has been secured from the office of security review having jurisdiction over the area involved.

c. When made from photographic materials of other government agencies unless those agencies approve and authorize such use, and provided such reproductions have been obtained by the Department of Agriculture in connection with its authorized work.

d. Of aerial photographs directly to purchasers outside of the United States, except upon approval of the Coordinator of Aerial Photographic Work of the Department, Agricultural Stabilization and Conservation Service.

SEC. 13. *Photographic sales committee.* The Photographic Sales Committee consists of representatives designated by Department agencies principally concerned with the sale of photographic reproductions. The Committee recommends prices at which photographic and mosaic reproductions, except library material, shall be sold, and other matters related to photographic reproductions.

SEC. 14. *Circumstances under which photographic reproductions may be provided free.* a. Established policy provides that no charge need be made for services which can be primarily considered as benefiting the public generally. Accordingly, reproductions may be furnished free at the discretion of the agencies of the Department to:

(1) Press, radio, television, and newsreel representatives for dissemination to the general public,

(2) Agencies of State and local governments which are carrying on a function related to that of the Department when furnishing the service will help to accomplish an objective of the Department,

(3) Cooperators and others in furthering agricultural programs.

As a general rule, only one print of each photograph should be provided free. Care should be exercised in approving requests for free prints to determine that such action is in the public interest.

SEC. 15. *Loans.* Aerial photographic film negatives or reproductions may not be loaned to the general public.

SEC. 16. *Sales of positive prints under government contracts.* The annual contract for furnishing single and double frame slide film negatives and positive prints to agencies of the Department, County Extension Agents, and other agencies cooperating with the Department, carries a stipulation that the successful bidder must agree to furnish slide film positive prints to such persons, organizations, and associations as may be authorized by the Department to purchase them.

SEC. 17. *Procedure for handling orders.* In order to expedite handling, all orders shall contain adequate identifying information. Agencies furnishing aerial photographic reproductions require that all such orders identify the photographs. Each agency has its own procedure, and order forms.

SEC. 18. *Photographic reproduction prices.* The prices for photographic reproduction listed here are for the most generally requested items.

a. *National Agricultural Library.* The following prices are applicable to National Agricultural Library items only:

Microfilm—$1 for each 30 pages or fraction thereof.

Photoprint—$1 for each 4 pages or fraction thereof.

b. *General photographic reproductions.* Minimum charge $1 per order. All sizes are approximate. An extra charge may be necessary for excessive laboratory time caused by any special instructions from the purchaser.

CLASS OF WORK

Number	Cardboard mounts		Metal or plastic mounts	
	Unit	Price	Unit	Price
Duplicate projection 2 x 2 slides (color):				
1 to 5	Each	$0.55	Each	$0.85
6 to 30	Each	.50	Each	.75
31 to 50	Each	.45	Each	.70
51 or more	Each	.35	Each	.65
Duplicate transparencies:				
4 x 5			Each	4.80
Prints, same copy			Each	2.90

c. *Aerial photographic reproductions.* No minimum charge on aerial photographic reproductions.

Single or double weight paper not ferrotyped (doubled weight, semimatte furnished, unless otherwise specified). All contact prints and enlargements unmounted and untrimmed. Contact prints trimmed for 5 cents each when requested.

County coverage shall be defined as coverage of an entire county or of such part of a county contained within a certain aerial photographic project. Such coverage may be either stereoscopic or nonstereoscopic, but must be specified in the order.

Contact prints: The prices for contact prints are set forth below. The size refers to the approximate size of the contact print.

Class of work	Unit	Price
Copy negatives and film positives:		
4 x 5	Each	$1.55
5 x 7	do	1.75
8 x 10	do	2.50
Contact and Projection Prints (quotations will be furnished on quantities of six or more reproductions from the same negative):		
4 x 5	do	.65
5 x 7	do	.90
8 x 10, 8 x 10½	do	1.15
11 x 14	do	2.20
Larger sizes	Square feet	1.90
Sepia tone—add 50 percent.		
Double weight paper—add 20 percent for air drying, spotting, and finishing matte paper.		
Mounting:		
Cloth (plain)	do	1.00
Cardboard and wall board	do	1.15
Projection Slides (black and white) made from flat copy (quotations will be furnished on quantities of six or more reproductions from the same negative):		
2 x 2 (bound in cardboard)	Each	.95
Projection Slides (color) made from flat copy:		
2 x 2 (bound) metal	do	1.80
2 x 2 (bound) cardboard	do	1.45

	Quantity	Price each
9½" x 9½" on commercial grade paper:		
	1–5	$1.00
	6–100	.90
	Over 100	.70
For low shrink paper add $0.20 per print.		
9½" x 9½" on polyester base print film, or equivalent:		
	1–5	1.50
	6–100	1.40
	Over 100	1.20
Aerial Photo-Indexes:		
Any number (per sheet)		2.00

Enlargements (Projection prints): The prices for enlargements of various sizes, made from 9 x 9 inch negatives, are set forth below. The size in each case refers to the approximate size of paper required to produce the enlargement ordered. The approximate scale at which enlargements are desired should be furnished with each or-

der. Most negatives are at an approximate scale of 1:20,000.

Approximately 1320 feet=1 inch
14 x 14 inches

Quantity	Price each
1–5	$2.30
6–100	2.00
Over 100	1.70

Approximately 1000 feet=1 inch
18 x 18 inches

1–5	2.50
6–100	2.30
Over 100	1.90

Approximately 660 feet=1 inch
26 x 26 inches

Quantity	Price each
1–5	$3.00
6–100	2.60
Over 100	2.30

For stable base paper add $0.40 per 26 x 26 print. Not available for other size enlargements.

Approximately 400 feet=1 inch
40 x 40 inches

1–5	7.00
6–100	6.00
Over 100	5.00

Approximately 330 feet=1 inch
26 x 45 inches

(This item applicable only to ASCS prints)

1–5	6.00
6–100	5.20
Over 100	4.60

Film Positives—contact printed from aerial negatives.

1–100	$2.50
Over 100	2.00

Kelsh Plates—(Contact prints on glass)

Quantity	Price each
1–5	$5.50
6–100	5.00
Over 100	4.50

Effective date. The fees and related procedures shall become effective on July 4, 1967.

Dated: June 30, 1967.

ELMER MOSTOW,
Director of Plant and Operations.

[F.R. Doc. 67-7727; Filed, July 3, 1967; 8:56 a.m.]

Office of the Secretary

IDAHO AND NEW JERSEY

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Idaho and New Jersey natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

	Original designation	Present extension
Idaho:		
Bingham	32 F.R. 583	
Bonneville	32 F.R. 583	
Butte	32 F.R. 583	
Clark	32 F.R. 583	
Fremont	31 F.R. 9882	
Jefferson	32 F.R. 6457	
Teton	31 F.R. 9882	
New Jersey:		
Bergen	31 F.R. 10966	
Cape May	30 F.R. 9114	3 F.R. 8082.
Essex	31 F.R. 10966	
Hudson	31 F.R. 10966	
Hunterdon	31 F.R. 10966	
Mercer	30 F.R. 9114	31 F.R. 8082.
Middlesex	31 F.R. 10966	
Morris	31 F.R. 10966	
Passaic	31 F.R. 10966	
Salem	30 F.R. 9114	31 F.R. 8082.
Somerset	31 F.R. 10966	
Sussex	31 F.R. 10966	
Union	31 F.R. 10966	
Warren	31 F.R. 10966	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

This extension shall become effective on June 30, 1967.

Done at Washington, D.C., this 28th day of June 1967.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 67-7601; Filed, July 3, 1967; 8:49 a.m.]

MARYLAND

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Maryland natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Maryland	*Original designation*
Anne Arundel	31 F.R. 11691
Baltimore	31 F.R. 11691
Carroll	31 F.R. 11691
Charles	31 F.R. 11691
Frederick	31 F.R. 11691
Harford	31 F.R. 11691
Howard	31 F.R. 11691
Montgomery	31 F.R. 11691
Prince Georges	31 F.R. 11691
Washington	31 F.R. 11691

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

This extension shall become effective on June 30, 1967.

Done at Washington, D.C., this 28th day of June 1967.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 67-7602; Filed, July 3, 1967; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 64]

PUBLIC INFORMATION

JUNE 29, 1967.

The following order is issued by the Secretary of Commerce effective July 4, 1967. This material supersedes the material appearing at 31 F.R. 10585 of August 6, 1966.

SECTION 1. *Purpose.* This order, and the rules and other materials which implement it, are designed: (1) To carry out the responsibilities of the Department of Commerce under, and to comply otherwise with the requirements of, the Public Information Section of the Administrative Procedure Act, effective July 4, 1967 (5 U.S.C. 552, Public Law 90-23, 81 Stat. 54), hereinafter referred to as "the Act"; and (2) otherwise pursuant to law to govern the dissemination to persons of records and other information in the possession of the Department.

SEC. 2. *Authorities.* This order is issued pursuant to the Act; 5 U.S.C. 553; 5 U.S.C. 301; Reorganization Plan No. 5 of 1950; and other authority vested by law in the Secretary applicable to the dissemination of records and other information of the Department and charges for services related thereto. To the extent that terms used in this order are defined in 5 U.S.C. 551, they shall have the same definition herein, unless otherwise indicated.

SEC. 3. *Policies.* .01 The Department of Commerce, in fulfilling its statutory missions to foster, promote and develop the foreign and domestic commerce of the United States and to administer the specific programs entrusted to it, regularly develops, collects, analyzes, and disseminates facts, statistics, censuses, charts, scientific findings, technology, and other information, and performs other services, in order to assist the business community and other segments of the public, according to their needs and interests. These functions are performed either at the Department's own initiative or pursuant to specific requests from business and other public and government elements. This information which the Department develops, collates, and disseminates is generally made readily available, either without charge or by purchase, to the affected persons and to anyone else who may be interested, through publications, reprints of regulations (by subscription or otherwise), press releases, special reports, correspondence and personal interviews or conferences with staff, speeches, and other media. It is the policy of the De-

partment to continue its regular practices of disseminating information to the public prepared as a part of its program responsibilities, to the fullest extent legally permissible and economically feasible, and to continue to handle public requests for such information (which may include records) in the usual manner through its regular facilities and channels, as distinguished from those requests for identifiable records subject to 5 U.S.C. 552(a)(3) which are to be made and handled in accord with the rules established in and pursuant to subsections 5.03 and 5.04 of this order. In carrying out this policy, the officials designated in subsection 4.01 of this order shall (a) establish and continue an effective program of communicating to the public the useful information obtained or developed in the fulfillment of their organizational missions; (b) publicize the availability of such informational materials in their rules or by other practical means so that the public shall utilize the regular informational programs of the Department, rather than resorting to the formal procedures for requesting identifiable records established pursuant to 5 U.S.C. 552(a)(3); and (c) insure that any such information which is given to individuals or special groups shall also be made available to the general public in accord with subsections 5.01 and 5.02 of this order, when and to the extent such information is subject to publication or inspection under 5 U.S.C. 552(a) (1) or (2).

.02 Officials responsible for determining, in accord with the Act and this order:

(a) What materials are to be published in the FEDERAL REGISTER; (b) what and how materials are to be made available for public inspection and copying, including indexing; and (c) what and how identifiable records which are requested are to be made available; shall, in the exercise of sound judgment where discretion exists in making such determinations, take an affirmative and constructive view of the requirements of the Act. Accordingly, in making rules and specific determinations, they shall among other factors: (1) provide such information to the affected public as will enable it to deal effectively and knowledgeably with their organizations; (2) keep within the limits of demonstrable need the use of the legal authorities which permit the withholding of information and records; (3) apply principles of equal treatment to requests for records; (4) consider disclosure to be the rule rather than the exception; and (5) consider the public convenience as well as the efficient conduct of their organization's business.

.03 Officials who issue rules and instructions, prepare materials for publication in the FEDERAL REGISTER, and who otherwise make determinations under or pursuant to this order and as it may be supplemented, shall be further guided by the "Attorney General's Memorandum on the Public Information Section of the Administrative Procedure Act" issued by the U.S. Department of Justice, June 1967, and as may be amended.

SEC. 4. *Delegation of Authority.* .01 The Secretary of Commerce is responsible for the effective administration of the Act and other laws applicable to the dissemination of records and other information of the Department. Pursuant to the authority vested by law in the Secretary of Commerce, authority is hereby delegated to the following officials of the Department to make available to persons the records and other information in the possession of their organizations, in accord with the provisions of the Act, this order, other applicable law, and as may be otherwise provided by the Secretary:

a. Secretarial Officers, for their respective offices and for the Departmental staff units reporting to them (as defined in Department Order 83, "Organization of the Department of Commerce", 31 F.R. 3471, Mar. 5, 1966, as amended). The Assistant Secretary for Administration further shall so act for the immediate Office of the Secretary except as the Secretary may otherwise direct.

b. The Assistant to the Secretary.

c. The Special Assistants to the Secretary for Public Affairs and for Congressional Relations.

d. The heads of operating units of the Department (as defined in Department Order 83).

.02 The officials to whom authority is delegated in subsection 4.01 may redelegate this authority to a limited number of officers and employees under them without power of further redelegation; however, the authority to make final decisions upon review of initially denied requests for identifiable records, as provided in subparagraph 5.04a.3. of this order, may not be delegated.

.03 The General Counsel of the Department, and his designees, shall provide such legal services as he deems necessary or desirable to enable the officials designated in subsections 4.01 and 4.02 to discharge their respective duties and responsibilities under and pursuant to this order, and shall make legal interpretations of questions arising thereunder. The General Counsel shall also act as the focal point within the Department for consultation or other communication with the Department of Justice with respect to any litigation arising out of or in connection with the Act, this order, and such rules and actions as may be taken to implement it.

SEC. 5. *Functions and responsibilities.* .01 *Publication in the Federal Register* (5 U.S.C. 552(a)(1) of the Act).

a. The following information of the Department and its component organizations shall be separately stated and currently published in the FEDERAL REGISTER for the guidance of the public:

1. Descriptions of the central and field organizations and the established places at which, the employees (and in the case of a uniformed service, the members) from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions;

2. Statements of the general course and method by which functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

3. Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations;

4. Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by their agencies; and

5. Every amendment, revision, or repeal of the foregoing.

b. The information contained in subparagraph 5.01a. of this order required under 5 U.S.C. 552(a)(1) shall be published in the FEDERAL REGISTER in the form of or included in:

1. Department Orders, including any supplements and appendices thereto. The Office of the Secretary shall cause such materials to be published in the FEDERAL REGISTER. The Department Orders and their supplements and appendices contain, among other information, the descriptions of the various organizations of the Department, and in many instances the other information indicated in subparagraphs 5.01a. 1. and 2.

2. The Department's Administrative Orders.

3. Other Office of the Secretary directives.

4. The rules, regulations, and orders contained in the various Title of the Code of Federal Regulations assigned to the Office of the Secretary and to the operating units of the Department.

5. General notices.

6. Other forms of publication when incorporated by reference in the FEDERAL REGISTER with the approval of the Director of the Office of the Federal Register.

c. Officials responsible for determining what materials are to be submitted for publication in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a)(1) shall consider, among other factors, in making such determinations:

1. That those matters which fall within one or more of the exemptions contained in 5 U.S.C. 552(b) need not be published. However, it may be decided, in accord with subsections 3.02 and 3.03 of this order, that publication even of such matters should in some instances and respects be made.

2. That matters which are reasonably available to the class of persons affected thereby and which have been or are to be incorporated by reference in the FEDERAL REGISTER with the approval of the Director of the Office of the Federal Register are deemed to be published in the FEDERAL REGISTER. In such cases, the standards and procedures for incorporation by reference established by the Director of the Office of the Federal Register (See 1 CFR Part 20; 32 F.R. 7899, June 1, 1967) shall be followed.

3. That matters to which members of the public do not have to resort or by which they are not to be adversely affected, or which do not impose burdens, obligations, conditions, or limitations

upon persons affected, need not be published in the FEDERAL REGISTER under 5 U.S.C. 552(a)(1). However, the policy considerations expressed in subsection 3.02 of this order may in certain instances suggest the publication of such matters.

4. That no person shall in any manner be required to resort to or be adversely affected by any matter required to be published in the FEDERAL REGISTER under 5 U.S.C. 552(a)(1) when it is not so published. However, actual and timely notice given to such a person cures any defect of nonpublication as to such person, since a person having such actual notice is equally bound as one having constructive notice by FEDERAL REGISTER publication. Nevertheless, such actual notice should as a matter of policy be in addition to, rather than instead of, publication.

5. That most of the types of information required to be currently published under 5 U.S.C. 552(a)(1) were so required under the previous section 3(a) of the Administrative Procedure Act. To the extent that such information is not currently published in up-to-date form, it shall be so published, to assure that the public is currently informed. As to materials required to be published but which were previously published in the FEDERAL REGISTER prior to this order, they need not be republished. However, where it appears that public confusion would be created by various and separate publications, consideration should be given to whether republication in some self-contained document or by proper references in a current publication would better serve the public convenience. When some action is taken by an organization subsequent to July 4, 1967, which requires publication in the FEDERAL REGISTER, "currently publish" is construed to mean promptly at the time that such action occurs.

.02 *Availability of materials for inspection and copying; indexing* (5 U.S.C. 552(a) (2) and (4) of the Act).

a. The head of each operating unit of the Department shall for his unit, and the Assistant Secretary shall for the officials, offices and units referred to in subparagraphs a., b., and c. of subsection 4.01 above, in accordance with rules which they shall cause to be published in the FEDERAL REGISTER, make available for public inspection and copying the following materials, unless such materials are promptly published and copies offered for sale:

1. Final opinions (including concurring and dissenting opinions), as well as orders, made in the adjudication of cases;

2. Those statements of policy and interpretations which have been adopted by the agency and are not published in the FEDERAL REGISTER;

3. Administrative staff manuals and instructions to staff that affect a member of the public;

4. An index, which shall be currently maintained, and which provides identifying information for the public as to any material (a) which is issued, adopted, or promulgated after July 4, 1967, and (b) which is required to be made available or published pursuant to 5 U.S.C. 552(a)(2); and

5. Where applicable, a record of the final votes of each member in every agency proceeding when the agency has more than one member. The terms "agency" and "agency proceeding" are defined in 5 U.S.C. 551.

b. The rules required to be published in the FEDERAL REGISTER under subsection 5.02a. of this order shall include provisions for the time, place, fees (only for the making of copies), and any procedures applicable to making such materials available at facilities or otherwise for public inspection and copying.

c. The Assistant Secretary for Administration shall establish, maintain, issue operating instructions and publish rules for, a public reference facility for the inspection and copying of materials subject to 5 U.S.C. 552(a)(2), which facility shall contain the materials for all offices within the Office of the Secretary and for such operating units as elect to use such facility. The head of each operating unit who does not use the facility established by the Assistant Secretary shall establish for his organization such facilities or other proper means for making the materials subject to 5 U.S.C. 552(a)(2) available to the public for inspection and copying, and publish appropriate rules applicable thereto.

d. The Officials responsible for determining the materials to be made available under subsection 5.02a. of this order for public inspection and copying shall consider, among other factors, in promulgating the published rules and in making such determinations:

1. That those matters which fall within one or more of the exemptions contained in 5 U.S.C. 552(b) are not required to be made available. Nonetheless, they may be made available in any particular respect if it is determined that this would better serve the public interest.

2. That they may, to the extent required to prevent a clearly unwarranted invasion of personal privacy, delete identifying details from an opinion, statement of policy, interpretation, staff manual or instruction when it is made available or published. However, in each case the justification for the deletion shall be explained fully in writing. Such action is to be taken in order to provide the public with those informational materials called for under 5 U.S.C. 552(a)(2), while at the same time protecting the medical, family, business, or other personal privacy rights of the individuals involved in such agency materials. Agency explanations for deletions of identifying details should provide such information as can be furnished without defeating the purpose of the deletion provision. When an agency has a number of recurring deletion situations, it may in its implementing rules specify the applicable reasons for such deletions, and cite the rule in the preamble to each of the covered documents, rather than contain the complete explanation in each document.

3. That distinction should be made between those materials (a) which do and which do not affect any member of the public, and (b) which are and which are not to be relied upon, used or cited as precedent by the agency against any private party. Those materials specified in 5 U.S.C. 552(a)(2) which affect the public and which have precedential effect shall be made available for inspection and copying, and also included in the index. As to the index, those documents which have no such effect or public concern should not detract from its usefulness by being included. However, since the basic purpose of this section of the Act is to disclose to the interested members of the public essential information which will enable them to deal effectively and knowingly with an agency, materials which provide such information should be included in the facilities that are established.

4. That an advisory interpretation made by an agency on a specific set of facts which is requested by and addressed to a particular person need not be made generally available under subsection 5.02a. of this order if it is not to be cited or relied upon by any official of the agency as a precedent in the disposition of other cases. Nonetheless, if it may serve any useful public purpose, any such interpretation may be made available publicly under this subsection upon the deletion of identifying details to the extent necessary to protect personal privacy.

5. That the agency is not precluded from using as precedent against any affected private party those matters specified in subparagraphs 1.–4. of subsection 5.02a. of this order as to which a private party has actual and timely notice of the terms thereof, even though they have not been indexed and made available or published. If the agency practice is to furnish such notices, it is more desirable that it do so in addition to, rather than instead of, indexing and making them publicly available hereunder, in recognition of the purpose of 5 U.S.C. 552(a)(2) to make the end product materials of the administrative process available to the public.

6. That matters which are published in the FEDERAL REGISTER in accordance with 5 U.S.C. 552(a)(1) are not required to be made available under 5 U.S.C. 552(a)(2) for public inspection and copying nor need they be indexed (the FEDERAL REGISTER has its own index). However, if the official determines that it would be useful and practicable also to provide such published information to the public for ready reference, he may do so.

7. That an index is considered to provide sufficient identifying information for the public if any competent practitioner who exercises diligence may familiarize himself with the materials through use of the index.

8. That an alternative to making materials available to the public for inspection and copying is to promptly publish and offer them for sale to the public. Such published materials, however, are subject to the indexing requirement. If it would help the public and it is practical to do so, a copy of such published materials should also be made available in any facilities established for public

inspection, and if permissible, copies of the publications made available for sale therein.

9. That materials required to be made available or published under 5 U.S.C. 552(a)(2), but which were adopted or issued by an agency prior to July 4, 1967, may at any time be used, relied upon or cited as precedent by the agency irrespective of whether they are listed in the agency's index. Officials, however, may, to the extent they deem it practicable and helpful to the public, also index such materials in whole or in part.

.03 *Availability of identifiable records upon request* (5 U.S.C. 552(a)(3) of the Act).

a. The Office of the Secretary shall cause to be published in the FEDERAL REGISTER rules stating the time, place, fees to the extent authorized by statute, and procedure to be followed, with respect to making identifiable records promptly available to any person requesting them, as provided in 5 U.S.C. 552(a)(3).

b. The officials designated in subsections 4.01 and 4.02 of this order who are responsible for making such requested records available shall, in determining their availability, include in their consideration:

1. Whether the record itself or information contained in it is a matter which falls within one or more of the exemptions contained in 5 U.S.C. 552(b), and if so, whether it is not to be disclosed or whether it would be in the public interest to make the record available in whole or in part;

2. Whether the person requesting such record has complied with the published rules covering its availability;

3. Whether the record is subject to 5 U.S.C. 552(a) (1) or (2) and has been otherwise made available pursuant to subsections 5.01a. or 5.02a. of this order; and

4. Whether the record is of the type referred to in subsection 3.01 of this order, and is to be handled in accord with the policy set forth therein.

.04 *Rules relating to availability of identifiable records upon request* (5 U.S.C. 552(a)(3) of the Act).

a. The rules which are to be published in the FEDERAL REGISTER pursuant to subsection 5.03a. of this order shall, insofar as is practicable, be complete, precise, and workable, suitable for the information of the agency personnel and the public alike, and shall include provisions, among other matters, for the following:

1. Certification or other proper notification to the requesting person by an appropriate official that a requested record does not exist, has been destroyed as provided by law, or is not in the possession of the operating unit or office of the Department, or as applicable, is not otherwise in the possession of the Department.

2. Consultation with other operating units or offices within the Department, or with other Federal executive agencies, when there is a mutual agency interest or concern in the record or its contents, and there is a question as to its availability. The determination as to availability should be made by the predominantly interested agency, if there is one. When a record requested from the Department is the exclusive concern of another executive agency, the request shall be promptly referred to that other agency, and the requester so notified.

3. Establishment of a procedure for administrative review of a denial of a request for an identifiable record. The review procedure shall include provisions which insure that: (a) Denial by a duly authorized official of a request for an identifiable record shall be promptly made in writing to the person requesting it and shall be considered an initial denial from which a review may be taken; (b) review shall be initiated by the person requesting the record by his filing a written request for review within 30 days of the date of the denial of a request; (c) said request for review shall be addressed to the applicable official specified in subsection 4.01 of this order in respect to records of his organization, and shall include a copy of the request in writing and the denial thereof; (d) review shall be made on the basis of the request, the denial, and any written argument submitted by the requester, and that no personal appearance, oral argument or hearing shall be permitted; (e) a decision on review shall be promptly made in writing and communicated to the requester by the aforesaid respective official and shall be the final action of the Department; (f) if the decision is wholly or partly in favor of the requester, the reviewing official shall order that such records be made available to the requester as provided in the decision; and to the extent that the decision is adverse to the requester, it shall briefly state the reasons for the decision; (g) such final decisions upon review shall be indexed and made available for inspection and copying as provided in subsection 5.02 of this order; and (h) final decision denying identifiable records to a requester may be subject to court proceedings as provided in 5 U.S.C. 552(a)(3).

4. Consultation with the General Counsel of the Department or one of his designees before making an initial determination as to the availability of the requested record, if there is any question as to its availability, and in all instances, before making any final determination as to such availability.

5. A schedule of fees and charges for the search, certification, copying and other applicable costs for requested records which is authorized by statute and which conforms to or is in accord with any uniform schedule of fees and charges which shall be established by the Assistant Secretary for Administration for such purposes. Work, services, publications, or documents of any type which the agency as part of its regular mission has been performing or producing or will be performed or produced for members of the public or for those who are engaged in the transaction of official business of or with the Government, without charge or by publication charge or by subscription, are to be distinguished from those records requested under 5 U.S.C. 552(a)(3); the fees and charges for the latter are subject to the schedule specified herein.

6. Where practicable, the establishment of centralized and/or other facilities, such as reading rooms or reading areas, manned by Department employees, where records may be requested and be made available to the public, and copying equipment provided where practicable and in the public interest.

7. To the extent that such may be depicted, and it is deemed practical and desirable to do so, a description of those records considered to be either wholly or in part covered by one or more of the exemptions contained in 5 U.S.C. 552(b) which may be made available generally or to specific persons or classes of persons under specific circumstances which would constitute exceptions to one or more of the aforesaid exemptions. It is recognized that decisions whether or not particular records which are requested are or are not to be made available under the exemptions, may not readily be governed by the formulation in advance of general rules or categories, but would be better accomplished through ad hoc consideration of such requests. These ad hoc decisions are subject to being made available and indexed under subsection 5.02a. of this order, deleting identifying details where necessary to protect personal privacy, when they are statements of policy or interpretation and are relied upon or cited as precedent by the agency.

8. Specification, to the extent such may be done, of the earliest time when particular kinds of materials may be made available as records. A document which is a part of a transaction and for which it is being used normally is not available as a record until the transaction is completed, if its disclosure would prejudice the Government's interests in the transaction. Also, records which otherwise are in current use by agency personnel will not normally be available until the record, or a copy of it, may be obtained without impairing the effective operation of the function for which it is currently in use.

b. The Assistant Secretary for Administration is authorized to provide that the facility which he shall establish under subparagraph 5.02c. of this order be also used for making identifiable records available to persons requesting them. This facility may be used, e.g., to:

1. Receive and assist in processing applications for such records;

2. Receive from officials the requested records which are made available, maintain custody of them and supervise their inspection and copying by the requesting person;

3. Arrange for making certified and other copies of available records;

4. Collect and account for fees and charges established for services connected with the requests;

5. Return records after inspection to their places of custody;

6. Act as a central communication center between the requesting persons and the organizations involved in record

keeping and officials making determinations as to their availability; and

7. Provide reasonable assistance to person requesting records, including explanations of the applicable procedure and other rules, and making referrals to sources of information available under regular informational programs of the Department.

c. The facility so established and maintained by the Assistant Secretary for Administration shall provide these services for all officials and offices within the Office of the Secretary, and for each operating unit the head of which elects to have the Assistant Secretary provide these services on its behalf. The Assistant Secretary may establish application and other forms, fees and charges for services performed, provide procedures and administrative instructions to those organizations services by the facility, and publish such rules as may be necessary for processing requests for identifiable records made under 5 U.S.C. 552(a)(3).

d. The head of each operating unit which does not use the facility provided by the Assistant Secretary for handling such requests for records shall establish his own rules for such purpose. However, he shall provide therein for use of the same forms and schedule of fees established by the Assistant Secretary, except as the Assistant Secretary shall otherwise approve. The Assistant Secretary and the heads of operating units which have established their own facilities may at any time combine such facilities if they determine that economy of operation and convenience to the public so require.

SEC. 6. *Supplementary rules.* .01 The Secretary may from time to time issue such supplementary rules or instructions as he deems appropriate to carry out the purposes of this order.

.02 Each duly authorized official shall issue rules covering his respective area of responsibility which are designed to implement and are consistent with this order and with those rules and instructions issued by the Secretary under subsection .01 above.

SEC. 7. *Compulsory process requesting documents or testimony.* .01 In any case where it is sought by subpoena, order or other compulsory process or other demand of a court or other authority (hereinafter referred to as a "demand") to require the production or disclosure of any record in the files of the Department of Commerce or other information acquired by an officer or employee of the Department as a part of the performance of his official duties or because of his official status, the matter shall be immediately referred for determination to the appropriate official described in subsection 4.01 of this order. If such official has discretion with respect to disclosure and he determines that it would be improper to comply with the demand, or if he has no discretion with respect to disclosure, the matter shall be promptly referred to the Secretary of Commerce for final determination. Unless and until the Secretary determines that the records or information should be produced, the officer or employee who appears in answer to the demand shall inform the court or other authority (a) that the section 7 of this order prohibits the officer or employee from producing or disclosing the records or other information demanded without the prior approval of the Secretary of Commerce, and (b) that the demand has been, or is being, as the case may be, referred for the prompt consideration of the Secretary. The officer or employee shall also provide the court or other authority with a copy of the regulations prescribed in this section 7 of this order, and shall respectfully request the court or other authority to stay the demand pending the receipt of instructions or directions from the Secretary of Commerce concerning the demand.

.02 Whenever a demand of the type described in subsection .01 of this section is made upon an officer or employee of the Department of Commerce while he is appearing before or is otherwise in the presence of the court or other authority, the officer or employee or the U.S. attorney or other appropriate Government official or attorney acting on behalf of the officer or employee, shall (a) immediately inform the court or other authority that this section 7 of this order prohibits the officer or employee from producing or disclosing the records or other information demanded without the prior approval of the appropriate official described in subsection 4.01 of this order or of the Secretary of Commerce, as the case may be; (b) offer to refer the demand for the prompt consideration of the aforesaid official or of the Secretary; (c) unless the court or other authority withdraws the demand, provide the court or other authority with a copy of the regulations prescribed by this section 7; and (d) respectfully request the court or other authority to stay the demand pending receipt of instructions or directions from the aforesaid official or from the Secretary concerning the demand.

.03 If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with subsections .01 or .02 of this section pending the receipt of instructions or directions from the appropriate official described in subsection 4.01 of this order or from the Secretary of Commerce, or if the court or other authority rules adversely on any claim of privilege or other ground that may be asserted in conformity with the law, the provisions of this order, or with instructions or directions issued by the aforesaid official or by the Secretary pursuant to this order, the officer or employee upon whom the demand shall have been made shall, pursuant to the regulations contained in or pursuant to this order, respectfully decline to produce or disclose the records or other information demanded. (United States ex rel. Touhy v. Ragen, 340 U.S. 462.)

04. No officer or employee of the Department shall appear as a witness and testify on behalf of or at the request of any party other than the U.S. Government in any court or other proceeding either because of his official capacity or because of his possession of knowledge gained in an official capacity, except (a) upon demand and in accord with the provisions of subsections .01–.03 of this section; (b) as may be otherwise provided by the regulations of the Department or an agency thereof with respect to specific types of proceedings; or (c) as may be otherwise authorized by the General Counsel of the Department or his designees.

SEC. 8. *Saving provision.* Any other prior orders, regulations, or instructions, or parts thereof, the provisions of which are inconsistent or in conflict with the provisions of this order are hereby amended or superseded accordingly.

Effective date: July 4, 1967.

LAWRENCE E. IMHOFF,
Acting Assistant Secretary for Administration.

[F.R. Doc. 67-7616; Filed, July 3, 1967; 8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

UNION CARBIDE CORP.

Notice of Establishment of Temporary Tolerances

Notice is given that at the request of the Union Carbide Corp., South Charleston, W. Va. 25303, temporary tolerances are established for residues of a herbicide that is a mixture consisting of 80 percent of 3,4-dichlorobenzyl methylcarbamate and 20 percent of 2,3-dichlorobenzyl methylcarbamate, in or on garlic at 0.15 part per million and in or on the succulent form, dry form, and hay of beans, peanuts, peas, and soybeans at 0.1 part per million. The Commissioner of Food and Drugs has determined that these temporary tolerances will protect the public health.

A condition under which these temporary tolerances are established is that the herbicide will be used in accord with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Union Carbide Corp. name.

These temporary tolerances expire October 14, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and delegated by him to the Commissioner (21 CFR 2.120).

Dated: June 26, 1967.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 67-7628; Filed, July 3, 1967; 8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

PUBLIC HEALTH SERVICE

Statement of Organization and Functions and Delegations of Authority

The following statement supersedes all previous material issued in part 4 (Public Health Service) of the Statement of Organization and Delegations of Authority for the Department of Health, Education, and Welfare:

SEC. 4–A. *Mission.* The Public Health Service provides leadership and direction to programs and activities designed to protect and improve the health of the people of the United States.

To this end the Service (1) conducts and supports biomedical and related research on the causes, diagnosis, treatment, and control of diseases, including environmental hazards to human health, (2) directs or supports programs to control or prevent infectious diseases, chronic diseases, accidental injuries, and environmental health hazards, (3) operates inpatient and outpatient facilities to provide medical care to designated beneficiaries, (4) establishes quality standards for health services financed in whole or in part by programs of the Department of Health, Education, and Welfare, (5) administers programs to ensure an adequate, qualified, and effectively utilized supply of health manpower for the nation, (6) supports planning and construction of health facilities, (7) provides leadership and grant support for State and area systems of comprehensive health planning and services and for regional cooperative arrangements among medical schools, research institutions, and hospitals, (8) collects, analyzes, and disseminates statistical data on births, deaths, disease incidence, and the state of the nation's health, and (9) administers a library-based program to collect, index, and disseminate publications and other information important to medicine and health, including research in new techniques for storage, retrieval, and communication of scientific findings.

SEC. 4–B. *Organization and functions.* The Public Health Service shall be administered by the Surgeon General under the supervision and direction of the Secretary and shall consist of the following major components, with functions as indicated:

OFFICE OF THE SURGEON GENERAL (2000)

Provides leadership for the programs of the Public Health Service.

Immediate Office of the Surgeon General (2001). (1) Provides leadership in protecting and improving the health of the people of the United States, (2) manages and directs the activities of the Public Health Service, and (3) advises on health matters for the U.S. Government, both at home and abroad.

Office of Information (2017). Plans, directs, and coordinates the information and publications programs of the Public Health Service. The Assistant to the Surgeon General for Information, who acts as Director of the Office of Information, (1) reports to the Surgeon General advising him on policy matters related to public reporting and public information, (2) formulates policies for the general guidance of information and publications activities throughout the Service, and (3) determines Office programs, plans, and policies.

Office of Administrative Management (2019). (1) Advises the Surgeon General and his top staff officers on management implications of PHS plans and operations, and (2) establishes policy and provides servicewide leadership in the areas of data management, budget and fiscal administration, internal audit, procurement, and materiel management, organizational planning, and planning and utilization of buildings and facilities.

Management Policy Staff (20192). Provides agency-level management analyses needed to improve the Service's organization and management policies: (1) Conducts organizational and management studies and surveys, (2) prepares or reviews proposals and issuances affecting organizational structure or function that require the approval of the Surgeon General or higher authority, (3) initiates or reviews proposals for establishing or modifying PHS management policies or regulations, (4) prepares staff papers on current management problems, (5) negotiates solutions to interagency, interbureau, and interoffice problems of organization, function, policy, procedure, or coordination, (6) advises and assists Service staff and operating offices and task forces established by the Surgeon General, (7) conducts a policy reference service, (8) assesses the management implications of legislative proposals, and (9) keeps currently informed on the latest developments in organization theory and practices and in management sciences.

Data Systems Development Staff (20193). (1) Plans, develops the specifications, and implements (or coordinates the implementation of) Service-wide systems for the recording, processing, reporting, and maintenance of data for program planning, direction, and control (2) determines the data requirements of the Surgeon General and OSG staff actities, (3) provides technical services to all elements of the OSG in data systems design, (4) maintains the necessary liaison throughout the Service to insure that data needs are met and that appropriate adjustments in the data systems are made to accommodate new areas of interest and changes in program emphases or goals, and (5) reviews all new data systems proposals for consistency with PHS program planning, direction, and management needs.

Division of Finance (20194). (1) Provides leadership for the improvement of Service programing and financial management activities, (2) develops policies and instructions for budget preparation and presentation, (3) participates actively in programing activities of the Office of Planning and Evaluation associated with Planning-Programing-Budgeting, (4) directs allocation of funds and manages a system of budgetary controls, (5) directs planning and implementation of fiscal systems and procedures and provides accounting services, and (6) in coordination with the Division of Grants and Contracts, develops policies and procedures concerning the financial aspects of negotiated research and development contracts and furnishes financial advice to contracting officers.

Division of Procurement and Materiel Management (20195). (1) Plans, directs, and coordinates the PHS procurement and materiel management programs, providing leadership, guidance, and technical automation, directives, records, forms, printing, and distribution, and (2) maintain liaison, in the Division's program areas, with components of the PHS, DHEW, other Federal agencies, and various public and private organizations.

Division of Internal Audit (20196). (1) Conducts internal audit reviews of Service operations, (2) ascertains degree of compliance with laws, regulations, and directives, (3) examines and evaluates management operations and Service accounting, financial, and statistical data systems, (4) ascertains whether assets are properly safeguarded and accounted for, (5) conducts the investigative and security-related activities of the Service and performs related staff services, and (6) reviews Service activities in connection with allegations of misconduct and possible violations of Federal statutes by Service personnel.

Division of Buildings and Facilities (20197). (1) Plans, directs, and coordinates the PHS facilities planning and construction program, (2) establishes policy and procedures, and (3) provides leadership, guidance, and technical assistance in the areas of design, construction, renovation, repair, improvement, and in related real estate activities encompassing the acquisition, utilization, and disposal of real property.

Division of Grants and Contracts (20198). (1) Provides management advice and assistance to PHS program officials in improving the effectiveness, efficiency, and economy of procedures and methods used in the administration of grants and R. & D. contracts, (2) conducts internal studies and reviews of grant and R. & D. contract activities throughout the Service to evaluate their effectiveness from a management point of view, (3) develops appropriate Service-wide policy and procedural supplements to negotiated contract regulations and instructions governing the use and administration of R. & D. contracts, (4) maintains a general surveillance over the execution of grant and R. & D. contract regulations and instructions, including determination of conformance to institutional cost-sharing policies, (5) identifies and defines administrative data needed for grant and R. & D. contract management, (6) represents the Service in intra-departmental and interagency negotiations on administrative aspects of grants and contracts, including the establishment of indirect cost rates, (7)

provides assistance to grantees and contractors needed to assure adequate accounting records, and administrative procedures in the execution of PHS grants and contracts, and (8) reviews the reports of audits and other investigations to identify and resolve significant problems in the administrative management of grants and contracts.

Office of Comprehensive Health Planning and Development (2029). (1) Provides Service-wide leadership in the development and operation of a program to provide grants to State and local governments for comprehensive health planning and the provision of health services, (2) reviews and recommends approval of proposed policy, regulations, program guidelines, and procedural instructions, (3) determines training needs and coordinates development of training material and training programs for regional personnel and for State and local officials, (4) develops and promulgates guidelines for regional office review activity, arranges for and coordinates provision of advice and assistance to regional personnel, and evaluates effectiveness of the regional participation in the program, (5) provides grants management services as needed for formula and project grants under section 314 of the Public Health Service Act, (6) develops and supervises the operation of a system for determining priorities and fund allocations between formula grants and project grants and among the different kinds of project grants, and (7) recommends kinds of data needed for program evaluation and arranges for their collection and analysis.

Office of Program Planning and Evaluation (2031). (1) Serves as the Surgeon General's principal staff arm for program planning and evaluation and health policy formulation, (2) develops, coordinates, and provides leadership for an integrated system of program alternatives and policy positions, (3) conducts long-range studies of national health needs, including evaluating the effectiveness of various activities within, the impact of Service programs on, and the socioeconomic context of the national health system, (4) develops and disseminates new and improved techniques in health program planning and development, (5) maintains liaison in these areas with other Federal and with national voluntary health agencies, and (6) coordinates staff support to the National Advisory Health Council and the Surgeon General's Conference with State and Territorial Health Officers.

Office of Extramural Programs (2033). (1) Prescribes and coordinates the maintenance of a system for the development, coordination, issuance, and interpretation of policies and procedures governing all PHS grant programs, (2) reviews and evaluates existing policies and procedures in respect to their impact upon recipients, consistency with general governmental policy, and efficacy in obtaining program objectives, and initiates changes where needed, (3) maintains liaison with grantee institutions, State and local health agencies, and other non-Federal organizations to interpret policies, identify problem areas, and effect solutions which will improve relationships and make for more effective programs, (4) prescribes systems for the receipt, recording, and referral of all grant applications, and except for grants administered by the Regional Organization, administers a central receipt system for any category of grant for which more than one bureau will receive applications, (5) in cooperation with program officials, coordinates the establishment and maintenance of guides governing the referral of applications to bureaus, to programs, and to review groups and directs a team of bureau representatives making such referrals, and (6) establishes standards and guidelines for the review of applications, including (a) establishment and use of study sections, councils, and other advisory review groups, (b) priority rankings, and (c) orientation of executive secretaries and consultant members.

Office of Legislation (2035). (1) Provides for legislative analysis and development through reports on pending bills, development of legislative program, and technical assistance to members of Congress on bills, (2) furnishes legislative program support through preparation of testimony, backup material for hearings, and assistance on preparation of congressional committee reports, (3) provides congressional services and liaison through preparation of general or special program information, (4) provides congressional inquiry service, and follows up on significant congressional mail, (5) serves as a legislative reference center, and (6) make selected analyses of State health legislative developments.

Office of Personnel (2037). (1) Formulates general policies and plans for personnel management in the Service and evaluates results, (2) acts for the Surgeon General on personnel management questions, (3) advises top officials on all aspects of personnel management, and (4) represents the Service on personnel matters with the Department, the Civil Service Commission, the Congress, and the public.

Division of Program Planning and Evaluation (20373). (1) Develops Service plans for meeting personnel needs and utilizing manpower resources, (2) develops and maintains current comprehensive written statements of Service personnel policies, regulations, and implementing procedures, (3) evaluates personnel programs within the Service and provides staff assistance for improving them, and (4) represents the Service in relations with the Department and outside agencies on above matters.

Division of Research and Standards (20374). (1) Develops and administers a comprehensive program of personnel standards and tests applicable to all Service occupations, and (2) plans and directs or performs personnel research studies.

Division of Career Development (20377). (1) Develops and coordinates a comprehensive program of recruitment, training, and career development for Service personnel, (2) monitors individual career development plans and arranges training tours for Corps officers and other centrally controlled personnel categories, (3) develops training standards and material for use in decentralized training, and (4) directs or functionally supervises centralized Service-wide training activities.

Division of Operations and Services (20379). (1) Administers all personnel operations and services not delegated to other offices, (2) plans and conducts a comprehensive personnel and training program for personnel of the Office of the Surgeon General, (3) provides advice and assistance to officials of the Service, and (4) acts as liaison with the Department, Civil Service Commission, and other agencies on specialized aspects of personnel operating programs, procedures, and cases.

Office of International Health (2045). (1) Provides direct staff advice to the Surgeon General on international health activities and programs, (2) develops Service policies concerning the relationships with bilateral and multilateral health agencies, (3) participates with the State Department in formulating U.S. positions on international health matters, (4) provides leadership, guidance, and coordination to the PHS bureaus in their international health programs, and (5) coordinates the Special Foreign Currency Program of the Service.

Office of Equal Health Opportunity (2055). (1) Plans and conducts a program—including report analysis, field investigations and negotiations, and information activities—to assure that hospitals and nursing homes, home health agencies, State and local health agencies, health research institutions, and schools for professional health personnel which receive Federal financial assistance comply with the nondiscrimination requirements of title VI of the Civil Rights Act of 1964, and (2) assures equal employment opportunity under PHS contracts and on grant-supported construction.

Public Health Service Regional Organization (20A1). The Public Health Service Regional Organization serves as the primary point of contact with State and local governmental officials, community agencies, and public or private institutions in: (1) Planning and maintaining effective health programs, (2) providing or arranging for the provision of consultative and technical assistance, (3) reviewing and approving applications for grants for health services, for construction of health facilities, and for health manpower development, (4) evaluating State and local health programs, (5) reporting to PHS headquarters on health needs, problems, and significant program developments, and (6) assuring compliance with Federal laws and regulations.

NATIONAL CENTER FOR HEALTH STATISTICS (2200)

(1) Collects, compiles, and publishes general-purpose vital and health statistics, (2) develops a program in health, demographic, and related statistics to

serve present and future needs of all segments of health and related professions, (3) conducts methodological research and developmental activities, and (4) provides national and international leadership in the field of vital and health statistics.

Immediate Office of the Center Director (2211). (1) Plans, directs, and coordinates the total program of the National Center for Health Statistics, (2) stimulates research and developmental activities, (3) provides national and international leadership in health statistics, (4) conducts a variety of professional activities to provide assistance to States, to foster international relationships, and to improve the broad field of health statistics, and (5) provides central management and information services for the Center.

Office of Information (2217). (1) Conducts information activities to present the Center's programs and product to appropriate user groups, (2) conducts scientific and technical communications programs, (3) develops exhibits, notices, information brochures, and other related material, and (4) conducts publication activities involving design, editing, and layout of special and recurring statistical volumes and reports.

Office of Administrative Management (2219). (1) Plans and directs the Center's administrative management activities, (2) conceives, initiates and conducts management programs embracing integrated systems of planning, analysis, budget formulation and reporting, (3) develops and coordinates the Center's legislative activities, and (4) provides specialized services in financial management, personnel management, management analysis, procedural development, and administrative services for the Center.

Office of Program Planning and Evaluation (2231). (1) Provides a Center focus for planning new statistical programs, evaluating the adequacy and completeness of new and existing programs in meeting the Center's total mission, and assessing program accomplishments in relation to approved plans, (2) carries out initial developmental work for new Center statistical programs, tests the methodology, and establishes primary mechanisms, (3) plans and conducts ad hoc surveys to meet special requests for data which are unavailable from ongoing survey programs, and (4) coordinates the results of program research conducted throughout the Center.

Office of Statistical Methods (2233). (1) Provides expert consultation on mathematics, probability and statistical theory, and method to the Director, the Center, the programs of the Service and Department, and the health community, (2) conducts mathematical statistical research, (3) conducts activities in the development of sampling survey techniques and the methodology of analysis of data from complex surveys, including the modification of statistical models to facilitate computer solution, and (4) exercises a surveillance function to assure the statistical adequacy of new and ongoing programs.

Office of International Statistical Program (2235). (1) Plans and conducts the Center's foreign research, consultation, and training programs and represents the Center in international statistical activities including those concerned with population problems, (2) stimulates the conception and development of research projects in foreign countries under the Special International Research Program, (3) provides technical advice on the development of health statistics and registration programs, and (4) develops and conducts academic and practical courses in statistics, demography, and registration for foreign visitors.

Office of State Services (2237). (1) Plans professional programs to foster State, local, and other professional relationships, (2) conducts a program of direct, technical assistance to States and local areas covering all aspects of vital and health statistics activities, (3) develops a training activity including courses in vital and health statistics theory and practice to serve State and local needs, (4) provides secretariat services to the Public Health Conference on Records and Statistics, and (5) encourages improvement of the vital and health statistics function in State health programs.

Office of Health Statistics Analysis (2241). (1) Plans and conducts a statistical program providing analyses in depth of health data, (2) stimulates the development of specific statistical programs or concepts throughout the Center to expand data available for analytical studies, (3) analyzes and interprets data reflecting the impact on the nation's health of existing health conditions, programs, and activities, (4) assesses the adequacy for trend analysis of methodological approaches to data collection, and (5) develops and publishes studies and reports.

Division of Vital Statistics (2245). (1) Conducts a statistical program serving demographic and public health needs, (2) promotes utilization of data and expansion of the U.S. vital registration system, (3) conducts methodological research on analyzing, evaluating, and presenting vital data and publishes results, (4) evaluates the responsiveness of the statistical product to user needs, and (5) develops actuarial methods and formulae for construction of life tables.

Division of Health Examination Statistics (2249). (1) Analyzes statistical data based on marriage and divorce records, (2) develops reports on marriage, divorce, and the family and conducts analytical and methodological research, (3) provides consultative assistance to States and other groups, and (4) cooperates in extending marriage and divorce registration areas.

Division of Health Records Statistics (2251). (1) Conducts a nationwide survey program of vital and hospital and medical care records and publishes the results, (2) makes special surveys in vital and health statistics, (3) conducts studies to improve survey methods and data quality and reliability, (4) advises and technically assists others on records survey methodology, and (5) evaluates the responsiveness of the statistical product to user needs.

Division of Health Interview Statistics (2255). (1) Conducts a statistical program based on systematic nationwide health interview surveys and publishes the results, (2) advises and technically assists others on interview data and interview methodology, (3) conducts research on data quality and reliability and the statistical techniques used, and (4) evaluates the responsiveness of the statistical product to user needs.

Division of Health Resources Statistics (2259). (1) Conducts a statistical program using primary or secondary sources to develop data on existing health resources including facilities, and manpower in a variety of occupations, and publishes the results, (2) conducts research on collection methodology for health resources data, (3) makes studies to improve data quality and reliability, (4) provides advice and technical assistance on content and utilization of health resource data, and (5) evaluates the responsiveness of the statistical product to user needs.

Division of Data Processing (2261). (1) Provides data processing services to all the Center's programs, (2) develops general computer programs and provides technical expertise in systems analysis and programing, (3) trains data processing, professional, and executive personnel, (4) conducts research and originates methods for processing, handling, transmitting, sorting, and retrieving statistical data, (5) provides technical assistance to States, other elements of the Service, and related organizations, and (6) conducts a statistical processing quality control program.

NATIONAL LIBRARY OF MEDICINE (2300)

The National Library of Medicine (1) assists the advancement of medical and related sciences through the collection, dissemination, and exchange of information important to the progress of medicine and health, (2) serves as a national medical information resource for medical education, research, and service activities of Federal and private agencies, organizations, institutions, and individuals, (3) publishes and distributes guides to medical literature in the form of catalogs, indexes, and bibliographies, (4) supports the translation and publication of biomedical literature, (5) provides support for medical library development and for training of biomedical librarians and other health information specialists, (6) conducts and supports research in techniques and methods for recording, storing, retrieving, and communicating health information, (7) provides technical consultation services and research assistance.

Immediate Office of the Director (2311). (1) Directs and coordinates library activities, (2) advises the Surgeon General on PHS policy relating to the management and control of published scientific information, (3) studies, identifies, and defines needs in biomedical communications and (4) provides the secretariat for the NLM Board of Regents.

Office of Administrative Management (2319). (1) Provides overall management and administrative services for the Library.

Office of Associate Director for Extramural Programs (2331). (1) Administers programs to augment and strengthen the health sciences libraries of the Nation and to improve biomedical communications through assistance to, or contracts with, non-Federal and private institutions, (2) analyzes and evaluates extramural programs in relation to program objectives and national needs to achieve balanced and effective support, (3) provides grants management, grants processing, and administrative management services.

Research and Training Division (2333). (1) Supports the conduct of research and development projects to: (a) Gain a better understanding of the production, processing, and communication patterns of information in the biomedical and related sciences, (b) identify the needs that institutions and workers in the health sciences have for this information, and (c) apply this new knowledge to the development of more efficient and effective communications modalities, (2) supports research projects in the history of life sciences, (3) supports training projects to increase the availability of medical librarians and health communications specialists, and makes awards to individuals in the form of traineeships and fellowships for advanced training and research in health information, (4) makes special awards to qualified scientists for the purpose of preparing comprehensive studies and critical reviews of the literature, and (5) provides secretariat services and staff assistance to advisory committees in these program areas.

Facilities and Resources Division (2335). (1) Administers programs of assistance for: (a) constructing, renovating, and expanding health sciences libraries throughout the country, (b) augmenting the basic resources of these libraries, and (c) developing a national system of regional medical libraries, (2) provides secretariat services and staff assistance to advisory committees in these program areas.

Publications and Translations Division (2337). (1) Supports the preparation and publication of translations, indexes, bibliographies, abstracts, and other publications to increase the availability and facilitate the utilization of published information in the health sciences, (2) provides secretariat services and staff assistance to advisory committees in these program areas.

Office of the Associate Director for Intramural Programs (2341). (1) Administers the Library's direct operations, (2) analyzes and evaluates intramural programs in relation to program needs, (3) develops and maintains the medical subject heading authority list, and (4) develops and administers a special program to organize and analyze published information on the effects of drugs and chemicals on man and prepares special bibliographies and reports on that subject.

Technical Services Division (2343). (1) Recommends policy on scope and coverage of the collection, (2) acquires and catalogs materials for the collection. (3) develops and maintains national and international publication exchange relationships, (4) publishes catalogs of the Library's acquisitions and holdings, and (5) performs studies directed toward mechanization and automation of technical services.

Reference Services Division (2345). (1) Provides reference services, assistance, and facilities (2) administers the interlibrary loan program, (3) maintains, circulates, and preserves the Library's collections, (4) provides photographic and photocopying services, and (5) performs research and development activities related to graphic image storage and retrieval.

Bibliographic Services Division (2347). (1) Analyzes and indexes for publication the literature of medicine and allied sciences, (2) prepares research bibliographies on special subjects, (3) analyzes and prepares requests for special bibliographies for computer processing, and (4) develops recurring bibliographic services.

Information Systems Division (2351). (1) Conducts research in information science to further dissemination of recorded knowledge in the health sciences, (2) performs systems analyses and designs new information systems, (3) provides computer services including computer programing, conversion of raw data for computer processing, and operation of all computer, phototypesetter, and related data processing equipment, (4) monitors and evaluates operating systems to effect improvements, (5) plans and administers the decentralized MEDLARS system, and (6) distributes magnetic tapes to MEDLARS Search Centers and other authorized users in the United States and abroad.

History of Medicine Division (2355). (1) Acquires, organizes, and services the historical source materials of the Library, (2) performs research in the history of medicine, (3) contributes to historical studies by publishing catalogs, bibliographies, and other aids to medical-historical scholarship, and (4) collects, catalogs, and controls the pictorial materials of the Library including films, prints, photographs, slides, and paintings.

NATIONAL INSTITUTES OF HEALTH (2400)

Conducts and supports basic and clinical research and research training in the causes, diagnosis, prevention, and cure of diseases of man including the biological effects of environmental contaminants, in the processes of human growth and development, and in related sciences: (1) Conducts laboratory, clinical, and field research, (2) supports health and medically-related research and research training by assisting individuals, universities, institutions, and agencies through grants-in-aid for research projects, training grants, fellowships, grants for the general support of research and research training, and grants for research facilities construction, (3) advises the Surgeon General on general research policies of the Public Health Service, (4) disseminates and supports dissemination of research findings and related information and supports regional medical cooperative arrangements to apply research results, furnish training, and exchange information among medical schools, research institutions, and hospitals, and (5) administers Federal standards and licensing activities controlling the safety, purity, and potency of certain viruses, serums, toxins, and analogous products sold in interstate commerce. Activities in the field of mental health and mental disease are excluded from the above, except that under an agreement between the National Institute of Mental Health and NIH, the Director of NIH approves the program, budget, and operating policies and procedures for activities of the NIMH located at NIH.

Immediate Office of the Director (2401). (1) Provides leadership, direction, evaluation, and coordination of the total NIH program of biomedical research and related activities, and (2) advises the Surgeon General on policy matters concerning scientific research.

Office of Research Information (2417). (1) Plans, directs, and coordinates NIH research information activities, and advises the Director on public information problems, (2) develops NIH information policies and programs, and coordinates information activities of the institutes and divisions, (3) provides central NIH review of publications intended for the general public and of proposals for construction of exhibits for the general public, and coordinates NIH-wide film activities, and (4) provides coverage in depth of NIH activities and programs for professional journals, medical news publications, and specialized media, and maintains liaison with science writers on difficult issues of science news reporting.

Office of Administrative Management (2419). Provides central management services to NIH, including budget, personnel, and other administrative functions.

Office of Program Planning and Evaluation (2431). (1) Oversees planning, reporting, and analytical functions in support of program development, policy formulation, and overall program direction functions of the executive staff of NIH, (2) advises the Director, NIH and his immediate staff on policy, program, and operational implications arising from activities of the Office, and (3) participates in program planning and policy formulation.

Office of International Research (2433). (1) Formulates policies, plans, and procedures to direct and coordinate the international activities of NIH, (2) establishes and maintains liaison with the various institutes and their National Advisory Councils in implementing their international programs, (3) in concert with the Office of International Health, OSG, establishes and maintains liaison with Federal agencies and international organizations concerned with medical research, (4) advises the Director on international aspects of medical research and

research training, (5) administers international programs of medical research, and (6) directs and coordinates the activities of the OIR overseas offices.

Clinical Center (2435). (1) Provides patient facilities and services, other than physician care, for clinical investigations in the Clinical Center, (2) conducts research in clinical care, hospital administration, and related areas, (3) supervises residency and other training programs, and (4) operates the Clinical Center cafeteria.

Division of Computer Research and Technology (2437). Plans and conducts an integrated computer research and service program in support of the NIH mission. In fulfilling this responsibility, the Division: (1) Provides professional programing, computational and automatic data processing capability to meet NIH program needs, (2) conducts theoretical and applied research in mathematical statistics, mathematics, and other (physical and life) sciences, (3) provides resources for research, development, and consultation for the design and implementation of project-supporting computer systems, (4) provides scientific and administrative direction in the formulation of NIH-wide policies, standards, methods, and procedures on computation and automatic data processing activities, and (5) participates in the analysis of requirements, design, and development of automatic data processing systems to make effective use of advanced techniques and equipment.

Division of Research Services (2439). Provides centralized instrumentation and maintenance, library, medical arts, photography, translating, animal production and care, new construction, plant maintenance, environmental, landscaping, and other scientific, technical, and engineering services to NIH.

Division of Research Grants (2441). (1) Initiates and develops recommendations and provides staff support services for NIH in formulating PHS grants and awards policies and procedures relating to research, center, and training grants and fellowship programs, (2) represents the NIH in the assignment of research grant applications among the Bureaus of the PHS and assigns applications within NIH to initial review groups and Institutes and Divisions, (3) provides for the scientific review of applications by NIH study sections and review committees, (4) conducts negotiations with grantee institutions, makes studies, and provides advisory and consultative services to NIH Institutes and Divisions relative to PHS grant policy and NIH-wide management matters, (5) collects, stores, retrieves, and analyzes management and program data needed by NIH in the management of its extramural programs, and (6) reviews and analyzes the character and direction of research and training supported through NIH grants and the resources involved in providing such support.

Division of Biologics Standards (2443). (1) Administers regulation of biological products used in the District of Columbia and in interstate commerce, and (2) prepares biological products for its own use and for use by other Federal and private agencies and organizations engaged in medicine when such products are not available commercially. In carrying out these functions, cooperates with other PHS organizations, governmental and international agencies, volunteer health organizations, universities, individual scientists, nongovernmental laboratories, and manufacturers of biologicals.

Division of Research Facilities and Resources (2445). Administers those NIH extramural programs which (1) provide broad support for institutional, regional, or national programs to meet health research needs, (2) provide resources and facilities for multidisciplinary research programs of nonprofit institutions, conducting health-related research, (3) support programs for specialized research resource centers, (4) support construction and renovation of health research facilities and centers, and (5) provide general support for research and research training programs at universities and other institutions.

Division of Regional Medical Programs (2447). Administers a program of support, through grants, for regional cooperative arrangements among medical schools, research institutions, hospitals, and other public and private health agencies and resources for: (1) Developing new knowledge about the causes, prevention, diagnosis, and treatment of heart disease, cancer, stroke, and related diseases, (2) the continuing education of the health professions by conducting and encouraging research into, and developing information on, criteria, standards, and methods for continuing education programs, and (3) through demonstrations and exchange of information, raising the level of patient care generally to that obtainable in the best medical centers. Through such cooperative arrangements, affords the medical profession and medical institutions an opportunity to make available the latest diagnostic and treatment advances relating to these diseases for improving the quality of patient care. Develops criteria and standards for the identification of those facilities where advanced specialty training and the most advanced techniques in diagnosis and treatment are available.

Division of Environmental Health Sciences (2449). (1) Conducts, fosters, and coordinates research on the biological effects of chemical, physical, and biological substances present in or introduced into the environment, to: (a) Develop understanding of the mechanism of action of such substances, (b) provide the scientific basis for evaluating their extent and severity on a national scale; and (c) diagnose, define, and develop methods for treatment, (2) makes related grants for research, research training, traineeships, and fellowships, and (3) disseminates appropriate information.

National Cancer Institute (2451). (1) Conducts, administers, and cordinates the Public Health Service program of research related to the cause, prevention, diagnosis, and treatment of cancer, and (2) makes grants-in-aid for research, training, traineeships, and fellowships, and publishes related information.

National Heart Institute (2455). (1) Fosters, conducts, and coordinates research and training on the causes, prevention, diagnosis, and treatment of diseases of the heart and circulation, (2) provides grants-in-aid for cardiovascular research and teaching, (3) provides training and instruction in the research and clinical aspects of heart diseases, and (4) collects and disseminates information on cardiovascular diseases.

National Institute of Allergy and Infectious Diseases (2459). (1) Administers programs of research, and (2) makes grants-in-aid for research, training grants and awards, and career and fellowship awards in allergy, infectious, and related diseases.

National Institute of Arthritis and Metabolic Diseases (2463). (1) Administers programs of research, and (2) makes grants-in-aid for research, training grants and awards, and career and fellowship awards in arthritis and metabolic and related diseases.

National Institute of Child Health and Human Development (2467). (1) Conducts, fosters, and coordinates research relating to maternal health, child health, and human development, including research in special health problems and requirements of mothers and children, and in the basic sciences relating to the process of human growth, development, and prenatal development, (2) provides grants-in-aid to public or private institutions and individuals for research and training and provides fellowships to individuals, and (3) collects and disseminates information on research and findings in the area of child health and human development.

National Institute of Dental Research (2471). (1) Administers programs of research, grants-in-aid for research, training grants and awards, and career and fellowship awards in dental and related diseases and conditions, and (2) provides dental care for Clinical Center patients.

National Institute of General Medical Sciences (2475). Administers, fosters, and supports programs of research, research training, and research fellowships in the general or basic medical sciences and related natural or behavioral sciences which have significance for a number of other institutes, are outside the general area of responsibility of any other institute, and will benefit by administration from a single point.

National Institute of Neurological Diseases and Blindness (2483). (1) Conducts, fosters, and coordinates research on the causes, prevention, diagnosis, and treatment of neurological and sensory disorders and related fields, (2) administers a program of research grants, training grants and awards, and (3) with National Center for Chronic Diseases Control, BDPEC, collects and disseminates information related to neurological and sensory disorders.

BUREAU OF DISEASE PREVENTION AND ENVIRONMENTAL CONTROL (2500)

Provides leadership in policy development, program operations, and coordina-

tion of those Public Health Service programs designed to protect human health and general welfare and to improve the quality of the environment through (1) control of environmental hazards and exposures thereto, of incidence of and exposure to infectious diseases, of incidence of and disability from chronic diseases, of accidental injury and death, and (2) provision of means of identification and diagnosis of conditions contributing to illness and death.

Immediate Office of the Bureau Director (2511). (1) Provides leadership, direction, evaluation, and coordination of the total Bureau program, and (2) advises the Surgeon General on policy matters concerning these programs.

Office of Information (2517). (1) Assists and advises the Director in interpreting the program of the Bureau to the public, (2) reports to the Director on actual and prospective public response, and (3) participates in the planning and development of Bureau-level policies with special responsibility for their interpretation to the public.

Office of Administrative Management (2519). Assists and advises the Director in the development, coordination, direction, and assessment of administrative management activities in the Bureau and assures consideration of mangement implications in program decisions.

Office of Program Planning and Evaluation (2531). Assists and advises the Director in the development, coordination, and assessment of overall program planning activities for the Bureau, and provides liaison with Service program planning officials.

Office of Research and Development (2533). (1) Assists and advises the Director in development, coordination, and assessment of intramural and extramural research activities through the Bureau, (2) maintains liaison with research and development interests outside the Bureau, (3) interprets PHS grants policy and coordinates its application within the Bureau, and (4) cooperates with other interested organizations in evaluating need for national manpower for research and development personnel in fields of concern to the Bureau and encourages development of training programs to meet such needs.

Office of Standards and Intelligence (2535). (1) Assists and advises the Director in development, coordination, and assessment of criteria and of standards promulgated for use in program operations and of surveillance and other systems for provision of data relating to such standards, and (2) maintains liaison with the National Center for Health Statistics and other governmental and nongovernmental agencies.

Office of Compliance and Control (2537). (1) Responsible for leadership, direction, and coordination of technical assistance compliance, and enforcement activities, and of relationships with Federal, State, and local agencies, international agencies, and nongovernmental organizations which involve these activities, and (2) cooperates with other interested organizations in evaluating national manpower needs in fields of concern to the Bureau of Disease Prevention and Environmental Control, and encourages development of training programs to meet such needs.

National Center for Radiological Health (2541). Plans, conducts, coordinates, and supports a national program for the prevention and control of radiological hazards to public health through (1) surveillance activities, (2) research and development programs, (3) technical assistance to governmental and other organizations, (4) technical training programs, (5) development of criteria and codes, (6) administration of grants, (7) consultation on international programs, and (8) public information and education activities.

National Center for Urban and Industrial Health (2545). Plans, conducts, coordinates, and supports a national program for the prevention and control of environmental hazards and health problems associated with urban living, transportation, and industry—such as accidents, occupations, water supply, housing, solid waste disposal and salvage techniques, food protection and general sanitation, and health aspects of metropolitan area planning—through (1) provision of a locus for initiation of new programs to meet emerging problems, (2) surveillance activities, (3) research and development, (4) technical assistance to governmental and other organizations, (5) demonstrations and pilot operations, (6) certification of interstate milk shippers, (7) shellfish sanitation agreements with States, Canada, and Japan, (8) enforcement of interstate carrier and interstate quarantine regulations, (9) technical training, (10) development of criteria and codes, (11) administration of grants, (12) consultation on international programs, and (13) public information and education activities.

National Center for Chronic Disease Control (2551). Plans, conducts, coordinates, and supports a national program for the prevention and control of chronic diseases, and programs related to nutrition and health through (1) surveillance activities, (2) research and development programs, (3) epidemiologic studies, (4) technical assistance to governmental and other organizations, (5) development of criteria and codes, (6) administration of grants, (7) consultation on international programs, and (8) public information and education activities, including a National Clearinghouse for Smoking and Health.

National Center for Air Pollution Control (2555). Plans, conducts, coordinates, and supports a national program for the prevention and control of air pollution through (1) surveillance activities, (2) research and development programs, (3) technical assistance to governmental and other organizations, and Federal enforcement actions as initiated by the Secretary, (4) technical training programs, (5) development of criteria and codes, (6) administration of grants, (7) consultation on international programs, and (8) public information and education activities.

National Communicable Disease Center (2561). Plans, conducts, and coordinates (1) a national program for the prevention and control of communicable and certain other preventable diseases, (2) a national program for the detection, assessment, control, and reduction of potential and harmful and/or unnecessary exposure of man to pesticides and other chemical agents, (3) a comprehensive national laboratory improvement program, including the provision of laboratory technical support for other national centers of the Bureau, other segments of the Public Health Service, and State, local, and other groups engaged in medical laboratory practice or administration, and (4) a national program in biomedical audiovisual communication.

NATIONAL INSTITUTE OF MENTAL HEALTH (2600)

Plans, directs, and coordinates the national effort to improve the mental health of the people of the United States through the development of knowledge, manpower, and services to promote and sustain mental health, prevent mental illness, and treat and rehabilitate mentally ill persons: (1) Administers direct and support programs of research and training; development of mental health standards; consultative and technical services to regions, states, and communities; construction and staffing of community mental health centers and construction, modernization, and renovation of other mental health facilities; scientific communications for professional individuals and groups and information and education for the public, (2) serves as the principal focus for behavioral science activities and for social and cultural problems related to mental health and for concerns and activities ranging from the causes, diagnosis, treatment, and prevention of mental disorders to the biological and psychosocial factors that determine human behavior and development, (3) exerts focused efforts in such areas as alcoholism, narcotic and other drug abuse, development and evaluation of psychoactive drugs, suicide prevention, cultural deprivation, crime and delinquency, services for the mentally ill offenders, and the behavior of groups including mass violence, (4) gives specific emphasis to (a) an attack on the overall mental health manpower problem by experimental training, both direct and supported, and continuing education, (b) an expansion of research efforts in clinical and applied areas, and (c) an expansion and improvement of mental health services through utilization of programs such as Medicare, Appalachian development, and pertinent aspects of aid to education, (5) consults with appropriate individuals and agencies in the development of mental health programs in other countries. Intramural research activities located on the NIH reservation are operated in accordance with the general policies and practices applicable to the intramural research programs of the NIH components under a mutual agreement between the two bureaus.

Immediate Office of the Institute Director (2611). (1) Plans, directs, and administers the programs of the Institute, (2) develops and provides policy guidance and staff direction to NIMH programs in such areas as program coordination and review, mental health research, administrative management, intramural training, and patient care, (3) serves as the focal point for the national mental health effort, (4) provides professional and technical direction to the Mental Health Staffs in the DHEW Regional Offices.

Office of Communications (2617). (1) Serves as focal point for Institute public information and scientific communications activities, including operation of the Public Information Branch and the National Clearinghouse for Mental Health Information, (2) advises the Director and the Divisions on program developments related to public information and scientific communications in the field of mental health, (3) provides central services for information activities, including editing, clearance, and layout design services for Institute publications and photography, and (4) operates the Institute library.

Office of Administrative Management (2619). (1) Provides advice, coordination, and services in financial management, management policy, personnel management, grants and contracts management, administrative services, and data processing activities, (2) advises the Director and the Divisions on developments and their implications in these areas, (3) designs, issues, and implements administrative operating procedures for the conduct of Institute affairs.

Office of Program Planning and Evaluation (2631). (1) Develops and issues guidelines and standards for program planning and evaluation, (2) develops or coordinates the development of plans and evaluates program accomplishments, (3) participates in Planning-Programming-Budgeting activities, (4) identifies and analyzes national mental health needs and their socio-economic implications, (5) develops standards for mental health diagnosis, treatment, care, and rehabilitation, (6) provides legislative reference services, assists in the development of legislation, and advises on legislative matters in mental health, (7) plans and coordinates Institute internal staff development activities.

Office of Program Liaison (2633). (1) Coordinates Institute relationships and activities with DHEW components, other Federal agencies, international groups, and with regional, State, and local mental health agencies and citizen groups, (2) acts as liaison between the NIMH Regional Staffs and other Institute program areas, (3) performs grant application review and referral for the Institute, including liaison with other PHS elements, (4) coordinates similar activities in the Divisions and keeps Divisions informed on significant developments.

Division of Extramural Research Programs (2641). (1) Plans and administers programs of support for research on causes, prevention, diagnosis, and treatment of mental diseases including research in the behavioral sciences, clinical, biological, applied, and psychopharmacological research, (2) develops and utilizes various types of grant and contract mechanisms to support this research, (3) coordinates Institute programs in schizophrenia and in mental health and social problems.

Division of Manpower and Training Programs (2645). (1) Plans and administers programs of support for training of mental health personnel for research and service on a nationwide basis, including training in the mental health core disciplines, specialized training for professionals and subprofessionals in allied fields, and experimental training for current and newly emerging programs and activities, (2) develops and utilizes various types of grant and contract mechanisms to support these training programs, (3) collects and evaluates data on national mental health manpower.

Division of Mental Health Service Programs (2649). (1) Plans and administers programs for the support of nationwide mental health services including (a) general improvement of regional, state, and local mental health programs, (b) construction and staffing of comprehensive community mental health centers, (c) improvement of the quality of care and competence of staff in State mental hospitals and institutions, (d) construction, modernization, and renovation of mental hospital, general hospital, and university-based psychiatric facilities, (2) administers mental health care administration aspects of the Social Security legislation, (3) provides advice and consultation to regional, State, and community agencies in the development and utilization of mental health services, (4) coordinates Institute programs of regional, metropolitan, and rural mental health problems.

Division of Special Mental Health Programs (2651). (1) Plans and administers programs directed toward the solution of specialized mental health problems, such as alcoholism, narcotic and other drug abuse, mental health of children and youth, crime and delinquency, and suicide prevention, including the research, training, service, and other aspects of such programs, (2) develops and utilizes various types of grant and contract mechanisms to carry out these programs, (3) coordinates and integrates these programs with other pertinent components of the Institute, (4) plans and administers a direct training program in mental health and related disciplines and special areas, utilizing Institute and other appropriate agency settings.

Division of Field Investigations (2655). (1) Plans and administers the Institute's program of field investigations through such activities as (a) operation of model comprehensive community mental health centers, (b) operation of clinical research centers in such areas as alcoholism, drug abuse, drug dependence, and personality and antisocial disorders, (c) support and conduct of epidemiological research, (d) operation of regional field stations for surveillance of local mental health conditions and conduct of studies within their catchment areas, (2) as pertinent to clinical research efforts, provides patient care for narcotic addicts and other psychiatric patients.

Mental Health Intramural Research Program (2661). (1) Plans and administers a comprehensive long-term intramural research program of clinical and behavioral, biological, and special research dealing with the causes, diagnosis, treatment, and prevention of mental disorders and the biological and psychosocial factors that determine human behavior and development, (2) provides a focus for national attention in the area of mental health research, (3) provides technical support to the two intramural divisions through development and maintenance of electronic and mechanical instrumentation and equipment, (4) assures that NIMH intramural research activities located on NIH premises are operated in accordance with the general policies and practices applicable to the intramural research programs of the NIH components under a mutual agreement between the two bureaus.

Division of Clinical, Behavioral, and Biological Research (2663). Plans and conducts a coordinated program of clinical, behavioral, and biological research dealing with (1) the causes, diagnosis, treatment, and prevention of mental disease, and (2) the basic psychosocial and biological processes which determine both adaptive and maladaptive behavior.

Division of Special Mental Health Research (2667). (1) Plans and conducts a program of intramural research on special mental health problems such as psychopharmacology, neuropharmacology, drug abuse, and the biochemistry of learning, (2) provides policy guidance, technical direction, and logistical support to other special Institute research activities in areas such as crime and delinquency, alcoholism, and suicide, (3) operates the Addiction Research Center at Lexington, Ky.

BUREAU OF HEALTH SERVICES (2700)

Provides leadership in the provision of adequate and comprehensive personal health services for the people of the United States: (1) Strengthens the partnership in health relationships by continuing mutual programs in States, regions, and communities, and providing resources, and training in the field of health planning, and health services research and development, (2) provides support to States and communities for the construction of hospital and medical facilities, with the fullest exploration and application of new technologies, (3) creates new and refines existing services which are essential to improving and maintaining health, (4) promotes, stimulates, and organizes comprehensive health services systems, develops criteria and standards for health care and health

services, and improves their distribution and financing, (5) provides guidance, consultation, and direct health services for other Federal agencies, and provides emergency health services in local or national disasters, (6) provides care of legally identifiable Federal beneficiaries, and supports programs to meet health needs of special population groups, (7) creates the professional enviroment to attract and retain health services personnel for the Public Health Service, as well as to contribute generally to the reservoir of skilled health personnel, (8) develops and extends comprehensive community services for the mentally retarded, (9) conducts and supports programs to improve international health status, (10) develops dynamic health education and public information programs to increase awareness in both the lay and professional of new techniques and discoveries for disease detection, prevention, and cure.

Immediate Office of the Bureau Director (2711). (1) Develops, directs, coordinates, and evaluates the program and management operations of the Bureau, (2) fosters utilization of dental and nursing services assistance available from the Bureau of Health Manpower, and environmental health services from the Bureau of Disease Prevention and Environmental Control, as appropriate.

Office of Information (2717). (1) Develops and conducts an overall Bureau information program, (2) coordinates, evaluates, and provides leadership in the development and effective operation of Division information programs, (3) provides staff advice on information matters, (4) participates in the planning and development of Bureau-level policies with special responsibility for their interpretation to the public.

Office of Administrative Management (2719). (1) Plans, develops, coordinates, evaluates, and directs the Bureau administrative management activities, including financial management, personnel management, general services, management appraisal, data processing, and legal services, (2) provides administrative services to the Office of the Bureau Director.

Office of Program Planning and Evaluation (2731). (1) Develops criteria and guidelines for the development of current and long-range Bureau plans, (2) establishes criteria for appraising program activities and services and analyzing health needs, (3) recommends changes in program and identifies need for legislation, (4) coordinates planning and development of intramural health facilities to insure consistency with Service policy and program goals, (5) coordinates Bureau professional society liaison and special projects development, (6) identifies need and provides guidance for the establishment of career development programs for special groups, (7) coordinates special staff project operations at the Bureau level, (8) advises on general legislative policy and program, works with Divisions in developing specific legislative proposals, and provides for liaison with the Office of the Surgeon General on legislative matters, (9) stimulates, coordinates, and assesses the standards-setting activities carried out by Bureau programs.

Office of Research and Development (2733). (1) Coordinates Bureau efforts in health services research and development, (2) stimulates development of extramural resources for the conduct of such research and development, (3) provides research design assistance for research and demonstration projects relating to Bureau facilities and programs, (4) assists in developing large scale, complex research projects involving two or more Divisions or Bureaus, (5) evaluates research results, (6) disseminates and encourages utilization of research findings, (7) develops financial support for research projects, utilizing available grant and contract funding, (8) carries out project and contract reviews, (9) develops and coordinates policies and procedures governing the use of grants and contracts, (10) provides grants management and negotiated contract services.

Office of Health Economics (2735). (1) Determines the economic significance of Bureau programs in relation to the national economy, (2) advises on the cost effectiveness of alternative courses of action from both short and longer range economic viewpoints, (3) advises in matters relating broadly to the health care economy, to its place in the national economy, and to public socio-economic policy issues that devolve around proposed and ongoing health programs, (4) represents the Bureau in matters involving these areas of concern.

Division of Community Health Services (2745). (1) Administers grants for research, training, and demonstration in the organization and provision of personal health services, (2) provides consultation and conducts and supports studies in planning and development of comprehensive health service systems related to problems of urban and rural communities, (3) develops training methodology and materials, and stimulates and conducts PHS, State, and local training programs in planning, (4) works with other Federal agencies, States, and communities in providing services for special population groups and the integration of programs such as family planning and school health into a total community health services system, (5) conducts and supports behavioral and communications research, demonstration projects, consultation, and training to promote sound health practices, (6) promotes effective working relationships between health services planners and rural and metropolitan planning groups, (7) encourages and supports development and utilization of health services data systems using automated techniques.

Division of Direct Health Services (2747). (1) Provides comprehensive programs of direct health care for Federal beneficiaries and selected community groups, (2) trains health services personnel for the Division and other PHS programs, (3) conducts clinical and health services research, and collaborative studies and demonstrations of better ways of delivering health services including medical rehabilitation, (4) plans, coordinates, and directs its activities in support of and in cooperation with community programs, (5) administers the Selective Service Medical Rejectee Program and the Cuban Refugee Health Program.

Division of Federal Employee Health (2749). (1) Promotes activities designed to protect the working health and safety of Federal employees in order to maximize their productivity, (2) conducts research studies, training, and demonstration projects, develops occupational medical standards and methods, provides consultation on, and stimulates the development of, improved occupational health and safety programs throughout the Government, (3) evaluates, upon request, Federal agency occupational health services programs in relation to standards, (4) administers employee occupational health programs for other Federal agencies on a reimbursable basis, (5) develops, directs, and evaluates a safety and accident prevention program for employees of the Public Health Service.

Division of Health Mobilization (2751). (1) Prepares national emergency plans and develops preparedness programs for health services, civilian health manpower, health resources, and public water supply under conditions of national disaster, (2) provides consultation and guidance to Federal, State, and local governments on the preparedness programs, (3) develops and directs nationwide health mobilization training programs, (4) manages the Federal program for stockpiling essential emergency health supplies and equipment.

Division of Hospital and Medical Facilities (2755). (1) Administers project, formula, and research grant programs for developing, expanding, and improving the planning, construction, modernization, equipping, and utilization of hospitals and related patient-care facilities, (2) provides administrative, architectural, and engineering services for the planning, construction, and modernization of facilities for the mentally retarded, teaching facilities for the health professions, and community health centers, (3) formulates, administers, and evaluates programs which supplement the grant programs, including research and the development of guide materials.

Division of Indian Health (2761). (1) Develops and directs a program of comprehensive health services for eligible American Indians and Alaska natives, (2) provides hospital and medical care services and preventive health services, such as public health nursing, health education, environmental health, maternal and child health, school health, and oral health, (3) conducts tuberculosis and other communicable disease control activities, (4) encourages and assists in the development of individual and community water and waste disposal systems, and (5) provides training for health personnel.

Division of Medical Care Administration (2765). (1) Develops organizational patterns and procedures, including considerations of administration, delivery, and financing directed toward the provision of high quality health services, accessible to the total population, (2) develops programs for meeting special problems of health care and maintenance, including those of the aging, (3) conducts research, studies, and demonstrations concerned with administration, financing, and organization of health care programs, (4) carries out professional health aspects of the Health Insurance Program for the Aged and the grants to States for Medical Assistance Programs.

Division of Mental Retardation (2769). (1) Administers a comprehensive nationwide program for those with mental retardation and related handicaps, (2) assists academic, State, and community organizations in the planning, construction, operation, and improvement of health and habilitation resources for the mentally retarded, including care services and the raising of standards of care in residential and other service programs, (3) provides a central source for information on mental retardation programs and services.

Medical Program, Bureau of Employees' Compensation (2781). (1) Develops and directs a comprehensive medical services program for Federal employees who sustain an injury or illness as a result of their employment, (2) provides technical advice in the adjudication of compensation claims, (3) participates in staff educational activities.

Medical Program, Bureau of Prisons (2783). (1) Develops and directs a comprehensive medical program for prisoners in Federal prisons and correctional institutions, (2) provides medical, psychiatric, and related services for such prisoners through hospitals and infirmaries located primarily at Bureau of Prisons facilities, (3) collaborates in planning prison hospital construction, (4) helps develop standards for medical care in State and county prisons.

Medical Program, Peace Corps (2785). (1) Provides preventive and clinical medical care to Peace Corps volunteers overseas, (2) advises the Corps in health program planning, (3) provides a focus for the administrative support and supervision of the medical program of the Corps, (4) works with the Corps and components of the Public Health Service in the recruitment and assignment of medical officers and other medical staff.

Medical Program, U.S. Coast Guard (2787). (1) Develops and directs a comprehensive medical program for military personnel of the Coast Guard, (2) provides medical and dental care to Coast Guard military personnel and eligible dependents through hospitals, clinics, infirmaries, sick bays, motorized dental units, and contract resources located throughout the United States and foreign countries and aboard Coast Guard vessels.

Appalachian Health Program (2789). (1) Provides staff assistance to the Appalachian Health Advisory Committee in the development of comprehensive health care projects, (2) assists in the development of project proposals for communities desiring to participate in demonstration projects, (3) assists in the implementation of projects authorized by the Appalachian Regional Commission, (4) coordinates Public Health Service efforts in providing consultation and staff assistance in the implementation of health programs, (5) provides guidance and assistance in the development of program evaluation procedures and techniques.

BUREAU OF HEALTH MANPOWER (2800)

(1) Provides leadership in planning, initiating, conducting, coordinating, and evaluating the Nation's health manpower programs: (a) Develops, conducts, and supports grant, loan, and operational programs to assess current and future health manpower requirements, to increase the supply and availability of health manpower, and to assess and improve the quality and utilization of health manpower and educational and training programs, communications, facilities, and teaching personnel for the health occupations, (b) develops PHS manpower policy and legislative proposals for new manpower programs and initiates the implementation of such policies and programs, (c) promotes activities to stimulate interest in and recruitment for health careers, (d) provides a PHS focus for international health manpower activities involving the United States and conducts programs for the training of health manpower from other countries, (e) coordinates PHS manpower programs (supply requirements, utilization, and secondary, collegiate, graduate, continuing, and specialty education), (f) serves as a national clearinghouse for information on health manpower needs, resources, utilization, and education and training programs, and (g) maintains requisite relationships for the Service with Federal and non-Federal organizations, educational institutions, and others concerned with health manpower, and (2) conducts and supports grant, operational, and research programs to prevent and control dental diseases and disorders and promote and extend provision of dental services and to improve nursing practice and the organization and delivery of nursing services in and out of hospitals, promotes the application of research findings in these areas, and coordinates dental and nursing research and services activities with related programs throughout the Service.

Immediate Office of the Bureau Director (2811). (1) Directs, coordinates, and evaluates Bureau programs, (2) provides a national and Public Health Service focus for health manpower program activities and coordinates Service external relationships in these areas, (3) guides and supports divisional program management, (4) designs legislative proposals to meet needs for new or revised health manpower programs, (5) coordinates Bureau research and program reporting activities, and (6) provides technical guidance and coordination to Bureau activities in the PHS regional organization.

Office of Information (2817). (1) Provides leadership to, coordinates, and evaluates Bureau information, public relations, publications, and related areas including audiovisuals and other media, and (2) guides and assists Divisions and staff offices in these areas and provides specialized information services as appropriate.

Office of Administrative Management (2819). (1) Develops and administers policies, procedures, systems, and practices to achieve effectiveness and economy in the management of Bureau programs, (2) provides leadership, coordinates, and evaluates administrative management aspects of these programs, (3) promotes the application of improved management techniques and practices, and (4) provides specialized management services and consultation to Divisions and Staff Offices of the Bureau.

Office of Program Planning and Evaluation (2831). (1) Provides a Bureau focus for developmental, coordinative, and evaluation activities relating to planning, study, and manpower supply-requirements programs, (2) identifies national health manpower requirements, guides divisional planning, and coordinates and evaluates Bureau plans, (3) identifies gap areas in manpower supply-requirements (including new health occupations), (4) stimulates the development of regional planning for the placement and construction of educational facilities and develops and tests new concepts, and (5) provides a national focus for information on total health manpower supply-requirements.

Office of International Health Manpower (2833). (1) Provides a Public Health Service focus for international health manpower activities involving the United States, (2) assesses the need for, and promotes the development and implementation of, manpower programs in this area, and (3) provides a source for information on the availability, content, and quality of international educational and training programs for persons in the health occupations (foreign nationals in the United States and U.S. citizens abroad).

Office of Educational and Training Communications (2835). (1) Serves as the Public Health Service focus for the coordination and evaluation of educational and training programs for the health occupations (secondary, collegiate, graduate, continuing, and specialty), (2) conducts and supports activities to develop and demonstrate educational communications methods, techniques, and systems including audiovisuals, (3) provides consultation and assistance in the development and improvement of educational and training programs, and (4) maintains requisite working relationships with educational institutions, organizations, and groups concerned with education and training for the health occupations.

Division of Physician Manpower (2841). Administers grant and operational programs (1) to increase the supply, (2) to improve the education and

utilization of physician manpower, and (3) to develop and improve facilities for the education and training of personnel in the health occupations.

Division of Allied Health Manpower (2845). Conducts and supports grant and operational programs (1) to increase the supply, and (2) to improve the education, utilization, and effectiveness of manpower in allied community, clinical, research, and environmental health occupations.

Division of Health Manpower Educational Services (2851). (1) Administers grant, loan, and operational programs for the education and training of personnel in the health occupations including persons from other countries, and (2) provides consultation, evaluation, information, procedural, and related services to support Public Health Service manpower grant programs.

Division of Nursing (2855). (1) Maintains a continuing review of national and international nursing manpower and utilization, (2) plans, develops, administers, and evaluates a variety of programs, intramural and extramural, to augment and improve nursing services and resources of the country and coordinates these programs with other governmental and nongovernmental nursing programs, and (3) serves as the primary unit within the PHS for information and guidance concerning all aspects of nurse manpower, nurse training, and nurse practice.

Division of Dental Health (2861). Administers grant, operational, and research programs (1) to increase the supply and improve the education and utilization of the Nation's dental manpower, (2) to develop and improve the utilization of the dental services and resources of the country, (3) to prevent and control dental diseases and disorders, (4) to organize and operate dental care programs for specifically designated population groups, and (5) to promote and extend provision of dental services.

SEC. 4–C. *Delegations of Authority.* The order of succession, specific delegations of authority to the Surgeon General, and related matters are indicated below.

Order of succession. During the absence or disability of the Surgeon General or in the event of a vacancy in that office, the first official listed below who is available shall act as Surgeon General, except during a planned period of absence for which a different order has been designated under (2) below:

(1) (a) Deputy Surgeon General.

(b) Associate Surgeon General.

(c) Director, National Institutes of Health.

(d) Director, Bureau of Health Services.

(e) Director, National Institute of Mental Health.

(f) Director, Bureau of Disease Prevention and Environmental Control.

(g) Director, Bureau of Health Manpower.

(h) Assistant Surgeons General in order of grade and Seniority excluding officers detailed to other agencies.

(2) For planned period of absence, the Surgeon General may specify a different order of succession.

Specific delegations. Except as provided in part 2 and section 4–D of this Manual, the Surgeon General shall exercise the following:

(1) The functions transferred to the Secretary by virtue of Reorganization Plan No. 3 of 1966.

(2) The functions which were, on June 24, 1966, or thereafter, vested in or delegated to the Surgeon General under the Public Health Service Act, as amended (42 U.S.C. 201 et seq.).

(3) The functions authorized by the Act of August 5, 1964 (68 Stat. 674, as amended, 42 U.S.C. 2001 et seq.). (Indian Health Program.)

(4) The functions relating to vital statistics which were transferred to the Federal Security Administrator by section 2 of Reorganization Plan No. 2 of 1946 and thereafter transferred to the Secretary by section 5 of Reorganization Plan No. 1 of 1953 (5 U.S.C. 623).

(5) The functions relating to Freedmen's Hospital which were transferred to the Federal Security Administrator by section 11(b) of Reorganization Plan No. IV (1940) and thereafter transferred to the Secretary by section 5 of Reorganization Plan No. 1 of 1953 (5 U.S.C. 623). (With the scheduled transfer of Freedmen's Hospital to Howard University on July 1, 1967, this paragraph will become obsolete.)

(6) The functions under the Act of June 21, 1950 (P.L. 81–569), as amended by the Act of August 7, 1959 (P.L. 86–145, 37 U.S.C. 352 et seq.), relating to the appointment of boards from available medical officers or physicians under the Surgeon General's jurisdiction, to determine the mental competency of (i) members of the uniformed services who are under medical care or treatment at PHS facilities and (ii) members of the PHS Commissioned Corps for whom the hospitalization or medical care is not provided by the United States.

(7) The functions under the Dependents' Medical Care Act (70 Stat. 250, 10 U.S.C. 1071 et seq.) and the regulations issued pursuant to the Act, except where consultation by the Secretary of Health, Education, and Welfare with the Secretary of Defense is required by the Act.

(8) The functions under Executive Order 11001, sections 3(a) through 3(e) and 3(h), and those portions of sections 6, 7, 9, 10, 11, and 12 pertaining to emergency health and water.

(9) The functions under Executive Order 10958, section 1101, pertaining to stockpiles of medical supplies and equipment.

(10) Delegations from the Office of Emergency Planning under the Major Disaster Act of 1950 (P.L. 81–875, 42 U.S.C. 1855 to 1855g) relating to disaster functions.

(11) The functions under section 104 (k) of the Agricultural Trade Development and Assistance Act, as amended by the Food for Peace Act of 1966 (P.L. 89–808, 7 U.S.C. 1704(b)(3)), relating to the use of foreign currencies to promote and support health activities.

(12 and 13) The functions involved in providing assistance in staffing and administering the health and medical services of the Peace Corps in accordance with the Memorandum of Understanding between the Public Health Service and the Peace Corps, and any amendments thereto, as authorized by the Peace Corps Act (P.L. 87–293, 22 U.S.C. 2501 et seq.) and Executive Order 11041.

(14) The functions vested in the Secretary by sections 740–745, Part C, Title VII, of the Public Health Service Act, 42 U.S.C. 294 to 294e, as added by the Health Professions Educational Assistance Act of 1963, P.L. 89–129, 77 Stat. 170, and as amended by P.L. 88–654, 78 Stat. 1086, and P.L. 89–290, 79 Stat. 1052, relating to student loans.

(15) The functions under Title XVII of the Social Security Act, as amended (42 U.S.C. 1391 et seq.), relating to grants to States for planning comprehensive action to combat mental retardation.

(16) The functions under Parts B and C of Title I, under Title II, and under Title IV (except the determination under section 407(b) of terms of office of added members of the Federal Hospital Council) of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (42 U.S.C. 2661 et seq.), amended by P.L. 89–105, relating to grants for the construction of facilities for the mentally retarded, and grants for the construction of and the initial cost of professional and technical personnel for community mental health centers.

(17) The functions vested in the Secretary by the Clean Air Act, as amended (42 U.S.C. 1857 et seq.), except:

(i) The determination to call a conference under section 103(e), 42 U.S.C. 1857b(e);

(ii) The following functions related to the abatement of air pollution under section 105, 42 U.S.C. 1857d:

(a) The determination to call conferences under section 105(c), 42 U.S.C. 1857d(c);

(b) The determination of whether foreign countries extend reciprocal air pollution abatement rights to the United States and the issuance of invitations to foreign countries to attend and participate in conferences authorized by section 105(c)(1)(D), 42 U.S.C. 1857d(c)(1)(D);

(iii) The determination under section 105(e)(1), 42 U.S.C. 1857d(e)(1), that remedial action which is reasonably calculated to secure abatement of pollution has not been taken, the determination to call a hearing, and the appointment of the hearing board;

(iv) The requesting the Attorney General to bring suit, under section 105(f)(1) and (2), 42 U.S.C. 1857d(f)(1) and (2);

(v) The mitigation of forfeitures under section 105(i)(2), 42 U.S.C. 1857d(i)(2);

(vi) The establishing of classes and issuance of permits for potential pollution sources under section 107(b), 42 U.S.C. 1857f(b).

(18) The functions vested in the Secretary by sections 822–828, Part B, Title VIII, of the Public Health Service Act, 42 U.S.C. 297a–297g, except the making of regulations authorized by section 828, as added by the Nurse Training Act of 1964, P.L. 88–581, 78 Stat. 913, and as amended by P.L. 89–290, 79 Stat. 1052, relating to nursing student loans.

(19) The functions under section 202(a), subject to the limitations of section 223, and other provisions of the Appalachian Regional Development Act of 1965, P.L. 89–4, 79 Stat. 5, relating to the making of grants for health facilities.

(20) The functions relating to the United States-Japan Cooperative Medical Science Program as specified in the Memorandum of Understanding of October 4, 1965, between the Department of State and the Department of Health, Education, and Welfare and delegated under section 5(f) of the International Health Research Act of 1960 (P.L. 86–610, 22 U.S.C. 2101 et seq.) and the President's letter of October 1, 1965, to the Secretary (1 Presidential Documents 355).

(21) The functions vested in the Secretary by the Solid Waste Disposal Act, P.L. 89–272.

(22) The functions of "responsible Department official" under title VI of the Civil Rights Act of 1964 and 45 CFR Part 80, with respect to any program receiving Federal financial assistance for the administration of which the Surgeon General is principally responsible under this statement.

(23) The functions vested in the Secretary by section 1(c) of P.L. 89–653, relating to health and sanitation services grants to the Menominee Indian people of Menominee County, Wis.

(24) The functions, established in the Public Health Service Act as amended by P.L. 89–709 relating to grants for veterinary medicine, teaching facilities, and loans for students of veterinary medicine.

(25) The functions vested in or transferred to the Secretary under the Comprehensive Health Planning and Public Health Service Amendments of 1966, P.L. 89–749, relating to comprehensive health planning and public health services.

(26) The functions vested in or transferred to the Secretary under the Allied Health Professions Personnel Training Act of 1966, P.L. 89–751, relating to health professions, nursing professions, and the allied health professions.

(27) The functions vested in or transferred to the Secretary under the Narcotic Addict Rehabilitation Act of 1966, P.L. 89–793, relating to treatment and rehabilitation of narcotic addicts.

(28) The functions vested in the Secretary by section 48(h)(12)(C) of Title 26 U.S.C. as added by P.L. 89–800, in connection with the certification of air pollution control facilities.

(29) The functions vested in the Secretary relating to supplying written advice to the Secretary of Commerce to assist him in making a determination of scientific equivalency under section 6(c)(3) of P.L. 89–651, 80 Stat. 897.

(30) The functions relating to the acceptance of gifts under section 501 of the Public Health Service Act, 42 U.S.C. 219.

Authorizations. The Surgeon General is authorized to:

(1) Exercise within the numerical requirements prescribed by the Secretary under section 210(1) of the Public Health Service Act (42 U.S.C. 211(1)) for each of the several grades, the further authority vested in the Secretary by said section to determine the numerical requirements for commissioned officers for each grade of each category.

(2) Approve amendments to the Joint Travel Regulations recommended by the Advisory Panel of the Per Diem Travel and Transportation Allowance Committee of the Uniformed Services.

Continuation of other delegations. All delegations to the Surgeon General, to the Public Health Service, or to any officer, employee, or agency thereof, of authority vested in the Secretary other than by virtue of Reorganization Plan No. 3 of 1966, are hereby confirmed and continued: where such delegations were previously vested in positions or offices which were abolished, modified, or divided as a result of the reorganization of the PHS they may be exercised by related or successor positions or offices, as designated by the Surgeon General.

Advisory functions. All functions of Public Health Service advisory committees (including councils, boards, and other advisory bodies) established as of December 31, 1966, shall be continued or revested in such committees.

SEC. 4–D *Reservation of authority.* The above delegates of functions and authority to the Surgeon General are subject to the following limitations or exceptions:

(a) Actions or functions which, by virtue of the Public Health Service Act, as amended (42 U.S.C. 201 et seq.) or by regulations issued thereunder (42 CFR Chapter 1), are required to be performed by, or with the approval of, the Secretary shall continue to be performed by, or with the approval of, the Secretary except as the Secretary may otherwise direct.

(b) Except for the appointment of commissioned officers pursuant to section 203 of the Public Health Service Act (42 U.S.C. 204) and except for the award of fellowships for duty pursuant to section 207(g) of such Act (42 U.S.C. 208(g)), the appointment of all officers and employees of the Service shall be made by the Secretary unless the authority has been specifically delegated.

(c) State plans submitted pursuant to any of the following provisions of law shall not be disapproved without prior consultation and discussion with the Secretary:

Sections 314 and 604, PHS Act.
Sections 134 and 204 of the Mental Retardation and Community Mental Health Construction Act of 1963.

(d) State authorities shall not be notified that payments will be suspended or terminated pursuant to any of the following provisions of law without prior consultation and discussion with the Secretary:

Sections 314, 604(c), 603(b), and 607, PHS Act.
Sections 134(b), 136, 204(b), and 206, Mental Retardation and Community Mental Health Construction Act of 1963.

(e) Except where such authority has been previously delegated the establishment of public advisory committees, selection of members, and the establishment of the rates at which members are to be compensated shall be subject to the approval of the Secretary.

(f) Agreements with Howard University affecting the operation and staffing of Freedmen's Hospital shall be signed by the Surgeon General and the President of Howard University and transmitted to the Secretary for approval. Any matters pertaining to such agreements which require the attention of the Secretary shall be presented to the Secretary through the Surgeon General of the Public Health Service or the President of Howard University. (With the scheduled transfer of Freedmen's Hospital to Howard University on July 1, 1967, this paragraph will become obsolete.)

(g) The functions exercised by the Surgeon General under Part C, Title VII, of the Public Health Service Act, as added by the Health Professions Educational Assistance Act of 1963, as amended by P.L. 88–654, and P.L. 89–290, and under Part B, sections 822–828 of Title VIII, Public Health Service Act, as added by the Nurse Training Act of 1964 and amended by P.L. 89–290, shall be exercised by the Surgeon General after consultation with the Commissioner of Education in order to ensure the maximum possible consistency between the policies and the methods of administration of the student loan programs of the Health Professions Educational Assistance Act of 1963, as amended, and the Nurse Training Act of 1964, as amended, and the student loan program authorized by the National Defense Education Act.

(h) The denial of a certificate of conformity under the Clean Air Act, section 206(a), 42 U.S.C. 1857f–5(a), may be made by the Surgeon General only after prior consultation and discussion with the Secretary, but after a hearing is held (as provided in § 85.63 of the regulations, 45 CFR 85–63) the final decision shall be made only by the Secretary.

SEC. 4–E. *Redelegation of authority.* Authority set forth in section 4–C may be delegated or redelegated by the Surgeon General to such officials of the Public Health Service as he may deem appropriate.

EXHIBIT X4-1

PUBLIC HEALTH SERVICE PERMANENT OFFICES AS OF APRIL 1967

Compiled in compliance with P.L. 89-487 (Freedom of Information Act).
Office of the Surgeon General; Management Policy Staff; June 1967.

State and city	Type of office or facility	Name and address	Zip Code
ALABAMA:			
Dauphin Island	Urban and Industrial Field Station.	Gulf Coast Marine Health Sciences Laboratory, Post Office Box 158.	36528
Mobile	Outpatient Clinic	PHS Outpatient Clinic, 125 Federal Building	36602
Do	Quarantine Station	U.S. Quarantine Station, Room 147, Post Office Box 730-Mailing address: 3819 Patterson Road, Algiers, New Orleans, La.	36601 70114
Montgomery	Radiological Health Field Station.	Southeastern Radiological Health Laboratory, Post Office Box 61.	36601
ALASKA:			
Anchorage	Indian Health	Anchorage Area Office, Post Office Box 7-74	99501
Do	do	Anchorage Medical Center	99801
Do	Urban and Industrial Field Station.	Arctic Health Research Center, 945 Sixth Avenue	99501
Do	Quarantine Station	U.S. Quarantine Station, Post Office Box 6063 Annex	99502
Annette Island	Outpatient Clinic	PHS Outpatient Clinic	99920
Barrow	Indian Health	Barrow Hospital	99723
Bethel	do	Bethel Hospital	99559
Dillingham	do	Kanakanak Hospital	99576
Fort Yukon	do	Fort Yukon Health Center	99743
Juneau	do	Juneau Health Center	99801
Do	Outpatient Clinic	PHS Outpatient Clinic, St. Ann's Hospital, 419 Sixth Street.	99801
Ketchikan	Indian Health	Ketchikan Health Center	99801
Kotzebue	do	Kotzebue Hospital	99752
Metlakatla	do	Metlakatla Health Center	99926
Mount Edgecumbe	do	Mount Edgecumbe Hospital	99835
Do	do	Mount Edgecumbe School Health Center	99835
Nome	do	Nome Health Center	99762
St. George Island	do	St. George Island Hospital	99660
St. Paul Island	do	St. Paul Island Hospital	99660
Tanana	do	Tanana Hospital	99777
Wrangell	do	Wrangell School Infirmary	99929
ARIZONA:			
Chinle	do	Chinle Health Center	86503
Douglas	Quarantine Station	U.S. Quarantine Station, Post Office Box 188-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	85607 79901
Fort Defiance	Indian Health	Fort Defiance Hospital	86504
Kayenta	do	Kayenta Health Center	86033
Keams Canyon	do	Keams Canyon Hospital	86304
Lukeville	Quarantine Station	U.S. Quarantine Station, Post Office Box 298-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	85620 79901
Naco	do	U.S. Quarantine Station, Post Office Box 98-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	85620 79901
Nogales	do	U.S. Quarantine Station-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	85621 79901
Parker	Indian Health	Parker Hospital	85344
Peach Springs	do	Peach Springs Health Center	86434
Phoenix	NIH Research or Study Facility.	Clinical Field Studies Unit: National Institute of Arthritis and Metabolic Diseases, Suite A-147, 4747 North 16th Street.	85016
Do	Indian Health	Phoenix Area Office, 4110 North 16th Street	85016
Do	Communicable Disease Field Station.	Phoenix Field Station: National Communicable Disease Center, 4402 North 76th Street.	85014
Do	Indian Health	Phoenix Medical Center, 1550 East Indian School Road	85014
Do	do	Phoenix School Health Center	85016
Sacaton	do	Sacaton Hospital	85247
San Carlos	do	San Carlos Hospital	85550
San Luis	Quarantine Station	U.S. Quarantine Station, Post Office Box 163-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	85349 79901
Sells	Indian Health	Santa Rosa Health Center	85634
Do	do	Sells Hospital	85634
Tuba City	do	Tuba City Hospital	86045
Tucson	do	Tucson Health Center	85700
Do	do	Tucson Training Center, Post Office Box 11340	85706
Do	Quarantine Station	U.S. Quarantine Station, International Airport-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	85706 79901
Whiteriver	Indian Health	Whiteriver Hospital	85941
Window Rock	do	Window Rock Sub-Area Office, Post Office Box 128	87420
Winslow	do	Winslow Hospital	86047
CALIFORNIA:			
Bakersfield	Communicable Disease Field Station.	Ecological Investigations Program: National Communicable Disease Center, Post Office Box 1564.	93302
Calexico	Quarantine Station	U.S. Quarantine Station, Post Office Box 352-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	92231 79901
Riverside	Indian Health	Riverside School Infirmary	92501
San Diego	Outpatient Clinic	PHS Outpatient Clinic, 2105 Fifth Avenue	92101
San Francisco	Bureau of Health Manpower Field Office.	Dental Health Center: Division of Dental Health, Building 3, 14th Avenue and Lake Street.	94118
Do	Communicable Disease Field Station.	Ecological Investigations Program: National Communicable Disease Center, Building 19, 15th Avenue and Lake Street.	94118
Do	Chronic Disease Field Station.	Heart Disease Control Program: Chronic Disease Field Station, 15th Avenue and Lake Street.	94118
Do	Bureau of Health Manpower Field Office.	Nursing Research Field Center: Division of Nursing, 14th Avenue and Lake Street.	94118
Do	PHS Hospital	PHS Hospital, 15th Avenue and Lake Street	94118
Do	Quarantine Station	U.S. Quarantine Station, Room 3015, Ferry Building	94111
San Pedro	Outpatient Clinic	PHS Outpatient Clinic, 825 South Beacon St.-Mailing Address: Post Office Box 831	90731 90731
Do	Quarantine Station	U.S. Quarantine Station, Room 5, Federal Building	90731
San Ysidro	do	U.S. Quarantine Station-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	92073 79901
Tecate	do	U.S. Quarantine Station-Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	92060 79901
Winterhaven	Indian Health	Winterhaven Hospital: Mailing Address: P.O. Box 1368, Yuma, Ariz.	85364
COLORADO:			
Denver	Urban and Industrial Field Station.	Injury Study Unit: University of Colorado Medical Center, 4200 East 9th Avenue.	80220
Greeley	Communicable Disease Field Station.	Ecological Investigations Program: National Communicable Disease Center, Post Office Box 1097	80632
Ignacio	Indian Health	Ignacio Health Center	81137
DISTRICT OF COLUMBIA:			
	Headquarters	Bureau of Disease Prevention and Environmental Control HEW Bldg. South, 330 C Street SW.	20201
	do	Computer Data Unit, Reports and Accounts Control Section: Fiscal Branch, Division of Finance, Office of the Surgeon General, 1651 HEW Building, 330 Independence Ave., SW.	20201
	do	Division of Special Mental Health Research: National Institute of Mental Health, William A. White Building, Saint Elizabeths Hospital, 2600 Nichols Ave. SE.	20032
	Chronic Disease Field Station.	Heart Disease Control Program Instrumentation Unit: National Center for Chronic Disease Control, 725-23d Street NW.	20037
	Headquarters	National Center for Health Statistics, HEW Building South, 330 C Street SW.	20201
	do	National Center for Radiological Health Building 7, Connecticut Avenue and Van Ness Street NW. Mailing Address: 1901 Chapman Ave., Rockville, Md.	20006 20852
	do	Office of Equal Health Opportunity: Office of the Surgeon General, 5421 HEW Building South, 330 C Street SW.	20201
	do	Office of International Health: Office of the Surgeon General, 5006 HEW Building South, 330 C Street SW.	20201
	Outpatient Clinic	PHS Outpatient Clinic, Fourth and C Streets SW.	20201
	Headquarters	"PHS World," Office of Information and Publications: Office of the Surgeon General, 5232 HEW Building South, 330 C Street SW.	20201
	do	Public Inquiries Branch: Office of Information and Publications, Office of the Surgeon General, 5251 HEW Building South, 330 C Street SW.	20201
	do	Special Assistant to the Surgeon General for Program Review: Office of the Surgeon General, 5006 HEW Building South, 330 C Street SW.	20201
	do	Washington Liaison Office: National Communicable Disease Center, HEW Building South, 330 C Street SW.	20201
FLORIDA:			
Jacksonville	Outpatient Clinic	PHS Outpatient Clinic, 311 W. Monroe Street-Mailing Address: Post Office Box 4788	32201 32201

State and city	Type of office or facility	Name and address	Zip Code
Jacksonville	Quarantine Station	U.S. Quarantine Station, Post Office Bldg. Mailing Address: 1015 Port Boulevard, New Port of Miami, Miami.	32201 33132
Miami	Outpatient Clinic	PHS Outpatient Clinic, 51 SW. First Ave. Mailing Address: Post Office Box 34.	33130 33130
Do	Quarantine Station	U.S. Quarantine Station, 1015 Port Boulevard, New Port of Miami.	33132
Do	Visa Medical Examination Office.	Caribbean Area Headquarters, USPHS, c/o U.S. Quarantine Station, 1015 Port Boulevard, New Port of Miami.	33132
Perrine	Communicable Disease Field Station.	Pesticides Research Laboratory: National Communicable Disease Center.	33154
Tampa	Outpatient Clinic	PHS Outpatient Clinic, 155 Columbia Drive.	33606
Do	Quarantine Station	U.S. Quarantine Station, 155 Columbia Drive.	33606
West Palm Beach	do	U.S. Quarantine Station, 3800 Southern Boulevard. Mailing Address: 1015 Port Boulevard, New Port of Miami.	33406 33132
GEORGIA:			
Atlanta	Chronic Disease Field Station.	Heart Disease Control Laboratory, Heart Disease Control Program, National Center for Chronic Disease Control, 1600 Clifton Road NE.	30333
Do	NIH Research or Study Facility.	Primate Malaria Section, National Institute of Allergy and Infectious Diseases: U.S. Penitentiary.	30333
Do	Headquarters	National Communicable Disease Center, 1600 Clifton Road NE.	30333
Do	Outpatient Clinic	PHS Outpatient Clinic, 1600 Clifton Road NE.	30333
Chamblee	NIH Research or Study Facility.	Cytology Section of the Laboratory of Parasite Chemotherapy: National Institute of Allergy and Infectious Diseases, Post Office Box 190.	30005
Savannah	PHS Hospital	PHS Hospital, York and Abercorn Streets. Mailing Address: Post Office Box 625.	31402 31402
Do	Communicable Disease Field Station.	Technical Development Laboratories, National Communicable Disease Center, Post Office Box 769.	31402
HAWAII:			
Honolulu	NIH Research or Study Facility.	Honolulu Heart Disease Epidemiology Study: National Heart Institute, 347 North Kuakini.	96817
Do	do	Pacific Research Unit, Laboratory of Infectious Diseases: National Institute of Allergy and Infectious Diseases, Post Office Box 1680.	96806
Do	Outpatient Clinic	PHS Outpatient Clinic, 591 Ala Moana Boulevard. Mailing Address: Post Office Box 1410.	96807 96807
Do	Quarantine Station	U.S. Quarantine Station, Post Office Box 1410.	96807
IDAHO:			
Fort Hall	Indian Health	Fort Hall Health Center.	83201
ILLINOIS:			
Chicago	Outpatient Clinic	PHS Outpatient Clinic, 4141 North Clarendon Avenue.	60613
Do	Quarantine Station	U.S. Quarantine Station, 4141 North Clarendon Avenue.	60613
KANSAS:			
Kansas City	Communicable Disease Field Station.	Ecological Investigations Program: National Communicable Disease Center, 2002 West 39th Street.	66103
Lawrence	Indian Health	Haskell Institute School Health Center.	66044
KENTUCKY:			
Lexington	National Institute of Mental Health Field Station.	Clinical Research Center: National Institute of Mental Health, Leestown Pike.	40507
Louisville	Bureau of Health Manpower Field Office.	Dental Clinical Development Center: Division of Dental Health, 334 East Broadway.	40202
LOUISIANA:			
Carville	PHS Hospital	PHS Hospital.	70721
New Orleans	do	PHS Hospital, 210 State Street.	70118
Do	Quarantine Station	U.S. Quarantine Station, 3819 Patterson Road, Algiers.	70114
MAINE:			
Portland	Outpatient Clinic	PHS Outpatient Clinic, 331 Veranda Street.	04103
Do	Quarantine Station	U.S. Quarantine Station, 331 Veranda Street, Mailing Address: Logan International Airport, East Boston, Mass.	04100 02128
MARYLAND:			
Adelphi	National Institute of Mental Health Field Station.	Mental Health Study Center, Division of Field Investigations, National Institute of Mental Health, 2340 University Boulevard.	20783
Baltimore	NIH Research or Study Facility.	Baltimore Cancer Research Center, 3100 Wyman Park Drive.	21211
Do	Headquarters	Gerontology Research Center, National Institute of Child Health and Human Development, 4940 Eastern Avenue.	21224
Do	PHS Hospital	PHS Hospital, 3100 Wyman Park Drive.	21211
Do	Quarantine Station	U.S. Quarantine Station, Room 426 Customhouse.	21202
Bethesda	Headquarters	Division of Dental Health, 601 Woodmont Building, Woodmont and Rugby Streets.	20014
Do	do	Children's Diagnostic and Study Branch, National Institute of Child Health and Human Development, U.S. Naval Hospital, 8901 Wisconsin Avenue.	20014
Do	do	National Institutes of Health, 9000 Rockville Pike.	20014
Do	do	National Library of Medicine, 8600 Rockville Pike.	20014
Do	do	NIMH Intramural Research Program, National Institutes of Health, 9000 Rockville Pike.	20014
Do	do	Office of Associate Director for Extramural Programs, National Library of Medicine, 7758 Wisconsin Avenue.	20014
Do	do	Operational Research Section, Tuberculosis Program, National Communicable Disease Center, 5120 Woodmont Avenue.	20013
Do	do	*Public Health Service, 9000 Rockville Pike.	20014
Chevy Chase	do	National Institute of Mental Health, Barlow Building, 5454 Wisconsin Avenue.	20203
Hagerstown	NIH Research or Study Facility.	Environmental Cancer Research Project, National Cancer Institute, Washington County (Md.) Health Department, 1300 Pennsylvania Avenue.	21741
Patuxent	do	Patuxent Primate Research Center, Collaborative and Field Research, National Institute of Neurological Diseases and Blindness.	20670
Perry Point	OSG Supply Depot	Supply Service Center, Division of Procurement and Materiel Management, Office of the Surgeon General.	21902
Rockville	Radiological Health Field Station.	Radiological Health Laboratory, National Center for Radiological Health, 1901 Chapman Avenue.	20852
Silver Spring	Headquarters	Board of Claims, Office of the Surgeon General, Willste Building, 7915 Eastern Avenue.	20910
Do	do	Bureau of Health Services, Willste Building, 7915 Eastern Avenue.	20910
Do	do	Division of Buildings and Facilities, Office of the Surgeon General, Willste Building, 7915 Eastern	20910
MASSACHUSETTS:			
Boston	NIH Research or Study Facility.	Childhood Leukemia Section, Epidemiology Branch, National Cancer Institute, Children's Cancer Research Foundation, 35 Binney Street.	02115
Do	Chronic Disease Field Station.	Diabetes and Arthritis Field Research Section, National Center for Chronic Disease Control, 745 Massachusetts Avenue.	02118
Do	PHS Hospital	PHS Hospital, 77 Warren Street, Brighton.	02135
Charlestown	Urban and Industrial Field Station.	Injury Surveillance Team, Charlestown Health Unit, National Center for Urban and Industrial Health, 71 High Street.	02129
East Boston	Quarantine Station	U.S. Quarantine Station, Logan International Airport.	02128
Framingham	NIH Research or Study Facility.	Field Epidemiology Study, National Heart Institute, 25 Evergreen Street.	01701
Do	do	Framingham Heart Disease Epidemiology Study, National Heart Institute, 25 Evergreen Street.	01701
Winchester	Radiological Health Field Station.	Northeastern Radiological Health Laboratory, National Center for Radiological Health, 109 Holton Street.	01890
MICHIGAN:			
Detroit	PHS Hospital	PHS Hospital, 14700 Riverside Drive.	48215
Do	Quarantine Station	U.S. Quarantine Station, 14700 Riverside Drive.	48215
East Lansing	NIH Research or Study Facility.	Epizootiology Section of the Epidemiology Branch, National Cancer Institute, Michigan State University.	48823
Ypsilanti	Air Pollution Control Field Station.	Motor Vehicle Emissions Compliance Test Facility, Motor Vehicle Compliance Laboratory, National Center for Air Pollution Control, Willow Run Airport.	48197
MINNESOTA:			
Bemidji	Indian Health	Bemidji Sub-Area Office, 203 Federal Building.	56601
Cass Lake	do	Cass Lake Hospital.	56633
Red Lake	do	Red Lake Hospital.	56671
White Earth	do	White Earth Health Center.	56591
MISSISSIPPI:			
Philadelphia	do	Choctaw Hospital.	39350
MISSOURI:			
Columbia	Chronic Disease Field Station.	Ecology Field Station, Heart Disease Control Program, National Center for Chronic Disease Control, Building T-25, University of Missouri.	65202
St. Louis	Outpatient Clinic	PHS Outpatient Clinic, 1520 Market Street.	63103

State and city	Type of office or facility	Name and address	Zip Code
MONTANA:			
Billings	Indian Health	Billings Area Office, 3 Seventh Street West	59104
Box Elder	do	Rocky Boy's Health Center	59521
Browning	do	Blackfeet Hospital	59417
Crow Agency	do	Crow Hospital	59022
Hamilton	NIH Research or Study Facility.	Rocky Mountain Laboratory, National Institute of Allergy and Infectious Diseases.	59840
Harlem	Indian Health	Fort Belknap Hospital	59526
Lame Deer	do	Lame Deer Health Center	59043
Poplar	do	Fort Peck Health Center	59522
NEBRASKA:			
Winnebago	do	Winnebago Hospital	68071
NEVADA:			
Las Vegas	Radiological Health Field Station.	Southwestern Radiological Health Laboratory: National Center for Radiological Health, 4505 Maryland Parkway, Post Office Box 684.	89101
Owyhee	Indian Health	Owyhee Hospital	87832
Schurz	do	Schurz Hospital	89427
Stewart	do	Stewart School Health Center	89437
NEW MEXICO:			
Albuquerque	do	Albuquerque Area Office, 500 Gold Avenue SW	87101
Do	do	Albuquerque Health Center	87101
Do	do	Albuquerque Sanatorium, 801 Vassar Drive	87101
Do	do	Practical Nurse Training School, 1015 Indian School Road.	87107
Columbus	Quarantine Station	U.S. Quarantine Station. Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	88020 79901
Crownpoint	Indian Health	Crownpoint Hospital	87313
Dulce	do	Dulce Health Center	87528
Gallup	do	Gallup Hospital	87301
Laguna	do	Laguna Health Center	87026
Mescalero	do	Mescalero Hospital	88340
Santa Fe	do	Santa Fe Hospital	87501
Shiprock	do	Shiprock Hospital	87420
Taos	do	Taos Health Center	87571
Tohatchi	do	Tohatchi Health Center	87325
University Park	Communicable Disease Field Station.	Southwest Rabies Investigations Sub-Unit (Las Cruces): National Communicable Disease Center, Post Office Box B.	88070
Zuni	Indian Health	Zuni Hospital	87327
NEW YORK:			
Buffalo	Outpatient Clinic	PHS Outpatient Clinic, 227 Post Office Building, 121 Ellicott Street.	14203
New York	do	PHS Outpatient Clinic, 67 Hudson Street	10013
Staten Island	PHS Hospital	PHS Hospital, Bay and Vandervilt Streets	10304
Do	Quarantine Station	U.S. Quarantine Station, Rosebank	10305
NORTH CAROLINA:			
Cherokee	Indian Health	Cherokee Hospital	28719
Research Triangle Park.	National Center for Health Statistics Field Office.	Data Preparation Branch, Division of Data Processing: National Center for Health Statistics, Post Office Box 12214.	27704
Do	Headquarters	Division of Environmental Health Sciences: National Institutes of Health, Post Office Box 12233.	27709
NORTH DAKOTA:			
Belcourt	Indian Health	Belcourt Hospital	58316
Fort Totten	do	Fort Totten Health Center	58335
Fort Yates	do	Fort Yates Hospital	58538
Wahpeton	do	Wahpeton School Health Center	58075
OHIO:			
Cincinnati	Headquarters	Air Quality and Emission Data Branch: National Center for Air Pollution Control, 4676 Columbia Parkway.	45226
Do	do	Chemical and Physical Research and Development Program: National Center for Air Pollution Control, 2914 Virginia Avenue. Mailing Address: 4676 Columbia Parkway	45227 45226 45227
Do	do	Control Development Program: National Center for Air Pollution Control, 1055 Laidlaw Avenue.	
Do	do	Criteria and Standards Development Branch: National Center for Air Pollution Control, 550 Main Street.	45202
Do	do	Economic Effects Research Program: National Center for Air Pollution Control, 550 Main Street.	45202

State and city	Type of office or facility	Name and address	Zip Code
Ohio—Continued			
Cincinnati	Headquarters	Emissions Control Research and Development Program: National Center for Air Pollution Control, 2914 Virginia Avenue. Mailing Address: 4676 Columbia Parkway	45227 45226
Do	Air Pollution Control Field Station.	Field Investigations Section, Abatement Program: National Center for Air Pollution Control, 1055 Laidlaw Avenue.	45327
Do	Headquarters	Health Effects Research Program: National Center for Air Pollution Control, 550 Main Street and 1055 Laidlaw Avenue.	45202 45327
Do	do	Meteorology Program: National Center for Air Pollution Control, 4676 Columbia Parkway.	45226
Do	do	National Center for Urban and Industrial Health, 5555 Ridge Avenue.	45213
Do	Radiological Health Field Station	Nuclear Engineering Laboratory: National Center for Radiological Health, 4676 Columbia Parkway.	45226
Do	do	Nuclear Medicine Unit: National Center for Radiological Health, Building T-2, 4676 Columbia Parkway.	45226
Do	Outpatient Clinic	PHS Outpatient Clinic, Fifth and Walnut Streets	45202
Do	Radiological Health Field Station	Radionuclide Toxicology Laboratory: National Center for Radiological Health, Building T-10, 4676 Columbia Parkway.	45226
Do	Headquarters	Training Program: National Center for Air Pollution Control, 4676 Columbia Parkway.	45226
Cleveland	Outpatient Clinic	PHS Outpatient Clinic, West Third Street and Prospect Avenue.	44113
OKLAHOMA:			
Anadarko	Indian Health	Anadarko Health Center	73005
Chilocco	do	Chilocco School Infirmary	74635
Claremore	do	Claremore Hospital	74017
Clinton	do	Clinton Hospital	73601
Concho	do	Concho School Health Center	73022
Hartshorne	do	Hartshorne School Health Center	74547
Lawton	do	Lawton Hospital	73501
Okemah	do	Okemah Health Center	74859
Oklahoma City	do	Oklahoma City Area Office, Post Office and Federal Building.	73102
Pawnee	do	Pawnee Hospital	74058
Shawnee	do	Shawnee Health Center	74801
Tahlequah	do	Tahlequah Hospital	74464
Do	do	Tahlequah School Health Center	74464
Talihina	do	Talihina Hospital	74571
Watonga	do	Watonga Health Center	73772
Wyandotte	do	Wyandotte School Health Center	74370
OREGON:			
Portland	Outpatient Clinic	PHS Outpatient Clinic, Broadway and Main Street	97205
Do	Indian Health	Portland Area Office, 208 Southwest Fifth Avenue	97204
Do	Quarantine Station	U.S. Quarantine Station, 207 U.S. Courthouse Building. Mailing Address: 33 Federal Office Building, 901 First Avenue, Seattle, Wash.	97205 98104
Salem	Indian Health	Chemawa School Infirmary	97301
Warm Springs	do	Warm Springs Health Center	97761
PENNSYLVANIA:			
Marcus Hook	Quarantine Station	U.S. Quarantine Station, Delaware Avenue and Market Street.	19061
Philadelphia	Outpatient Clinic	PHS Outpatient Clinic, 225 Chestnut Street	19106
Pittsburgh	NIH Research or Study Facility.	Field Studies Unit, Epidemiology Branch, National Cancer Institute, 901 Victory Building, 150 Desoto Street.	15213
Do	Outpatient Clinic	PHS Outpatient Clinic, Seventh Avenue and Grant Street.	15219
RHODE ISLAND:			
Narragansett	Urban and Industrial Field Station.	Northeast Marine Health Sciences Laboratory, National Center for Urban and Industrial Health, South Ferry Road.	02882
Providence	do	Driving Research Laboratory, National Center for Urban and Industrial Health, 235 Promenade Street.	02908
SOUTH CAROLINA:			
Charleston	Outpatient Clinic	PHS Outpatient Clinic, 334 Meeting Street	29403
Do	Quarantine Station	U.S. Quarantine Station, 334 Meeting Street. Mailing Address: 1015 Port Boulevard, New Port of Miami, Miami, Fla.	29401 33132

State and city	Type of office or facility	Name and address	Zip Code
SOUTH DAKOTA:			
Aberdeen	Indian Health	Aberdeen Area Office, 422½ South Main Street	57401
Eagle Butte	do	Eagle Butte Hospital	57625
Flandreau	do	Flandreau School Health Center	57028
Pierre	do	McLaughlin Health Center	57501
Do	do	Pierre School Health Center	57501
Pine Ridge	do	Pine Ridge Hospital	57770
Rapid City	do	Sioux Sanitarium	57701
Rosebud	do	Rosebud Hospital	57570
Sisseton	do	Sisseton Hospital	57262
Wagner	do	Wagner Hospital	57380
TENNESSEE:			
Memphis	Outpatient Clinic	PHS Outpatient Clinic, 360 West California Avenue	38106
TEXAS:			
Brownsville	Quarantine Station	U.S. Quarantine Station, Post Office Box 992	78520
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Dallas	do	U.S. Quarantine Station, Love Field	75235
		Mailing Address: Post Office Box 208, Galveston, Tex.	77551
Del Rio	do	U.S. Quarantine Station, Post Office Box 953	78840
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Eagle Pass	do	U.S. Quarantine Station, Post Office Box 908	78852
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
El Paso	do	U.S. Quarantine Station, 505 U.S. Courthouse	79901
Do	Visa Medical Examination Office.	Mexican Border Area Headquarters, USPHS, 505 U.S. Courthouse.	79901
Falcon Dam	Quarantine Station	U.S. Quarantine Station	78545
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Fort Worth	National Institute of Mental Health Field Station.	Clinical Research Center, National Institute of Mental Health, 3150 Horton Road.	67119
Galveston	PHS Hospital	PHS Hospital, 4400 Avenue N	77550
Do	Quarantine Station	U.S. Quarantine Station, Post Office Box 208	77551
Hidalgo	do	U.S. Quarantine Station	78557
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Houston	Outpatient Clinic	PHS Outpatient Clinic, 701 San Jacinto Street	77002
Do	Quarantine Station	U.S. Quarantine Station, International Airport	77017
Laredo	do	U.S. Quarantine Station, One Convent Avenue	78040
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Plainview	Communicable Disease Field Station.	Ecological Investigations Program: National Communicable Disease Center, 308 South Broadway.	79073
Port Arthur	Outpatient Clinic	PHS Outpatient Clinic, Fifth Street and Austin Avenue.	77640
Do	Quarantine Station	U.S. Quarantine Station, 230 Federal Office Building	77641
		Mailing Address: Post Office Box 208, Galveston, Tex.	77551
Presidio	do	U.S. Quarantine Station	79845
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Progreso	do	U.S. Quarantine Station	78596
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Rio Grande City	do	U.S. Quarantine Station	78582
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
Roma	do	U.S. Quarantine Station	78584
		Mailing Address: 505 U.S. Courthouse, El Paso, Tex.	79901
San Antonio	do	U.S. Quarantine Station, International Airport	78216
		Mailing Address: Post Office Box 208, Galveston, Tex.	77551
UTAH:			
Brigham City	Indian Health	Intermountain School Infirmary	84302
Fort Duchesne	do	Fort Duchesne Health Center	84026
Salt Lake City	Urban and Industrial Field Station.	Occupational Health Field Station National Center for Urban and Industrial Health, Post Office Box 2230.	84113
VIRGINIA:			
Arlington	Headquarters	Bureau of Health Manpower, 800 North Quincy Street.	22203
Do	do	National Center for Chronic Disease Control: Bureau of Disease Prevention and Environmental Control, 4040 North Fairfax Drive.	22203
Fort Monroe	Quarantine Station	U.S. Quarantine Station, Post Office Box 6	23369
Norfolk	PHS Hospital	PHS Hospital, 6500 Hampton Boulevard (Larchmont)	23508
WASHINGTON:			
Gig Harbor	Urban and Industrial Field Station.	Northwest Marine Health Sciences Laboratory: National Center for Urban and Industrial Health, Route 4, Post Office Box 4519.	98335
Nespelem	Indian Health	Nespelem Health Center	99155
Seattle	PHS Hospital	PHS Hospital, 1131 14th Avenue South	98115
		Mailing Address: Post Office Box 3145	98114
Do	Quarantine Station	U.S. Quarantine Station, 33 Federal Office Building, 901 First Avenue.	98104
WASHINGTON-Cont.			
Toppenish	Indian Health	Toppenish Health Center	98948
Wenatchee	Communicable Disease Field Station.	Pesticides Research Laboratory (Western): National Communicable Disease Center, Post Office Box 73.	98801
WEST VIRGINIA:			
Morgantown	Urban and Industrial Field Station.	Appalachian Laboratory for Occupational Respiratory Diseases, National Center for Urban and Industrial Health, Post Office Box 821, West Virginia Medical School.	
WYOMING:			
Fort Washikie	Indian Health	Fort Washikie Health Center	82514
CANAL ZONE:			
Balboa Heights	NIH Research or Study Facility.	Middle America Research Unit of the Laboratory of Tropical Virology, National Institute of Allergy and Infectious Diseases, Post Office Box 2011.	
Do	Outpatient Clinic	PHS Outpatient Clinic	
GUAM:			
Agana	NIH Research or Study Facility.	Research Center, Epidemiology Branch, Collaborative and Field Research, National Institute of Neurological Diseases and Blindness, Post Office Box AF.	96910
PUERTO RICO:			
Rio Piedras	Communicable Disease Field Station.	Tuberculosis Field Research Center, Tuberculosis Program, National Communicable Disease Center, 1127 Munos Rivera Avenue (2d floor).	00925
San Juan	NIH Research or Study Facility.	Laboratory of Perinatal Physiology, National Institute of Neurological Diseases and Blindness, Post Office Box 5095, Puertode Tierra Station.	00906
Do	Outpatient Clinic	PHS Outpatient Clinic, Post Office Box 3788	00904
Do	Communicable Disease Field Station.	Tropical Diseases Section, Ecological Investigations Program, National Communicable Disease Center, Post Office Box 52.	00902
Do	Quarantine Station	U.S. Quarantine Station, Stop 8½, Fernandez Juncos Avenue, Post Office Box 3788.	00904
VIRGIN ISLANDS:			
Charlotte-Amalie	Outpatient Clinic	PHS Outpatient Clinic, Post Office Box 8	00802
St. Croix	Quarantine Station	U.S. Quarantine Station, Peppertree Trailer Court	
St. Thomas	do	U.S. Quarantine Station, Post Office Building, Post Office Box 8, Charlotte-Amalie.	00800
FOREIGN			
ARGENTINA:			
Buenos Aires	Visa Medical Examination Office.	South American Area Headquarters, USPHS, c/o American Embassy.	
AUSTRIA:			
Vienna	do	Visa Medical Examination Office, USPHS, c/o American Embassy.	
BRAZIL:			
Rio de Janeiro	International Office	National Institutes of Health Latin American Office, c/o American Embassy.	
CANADA:			
Montreal (Quebec)	Visa Medical Examination Office.	Visa Medical Examination Office, USPHS, c/o American Embassy.	
Toronto (Ontario)	do	do	
ENGLAND:			
London	do	do	
FRANCE:			
Paris	International Office	National Institutes of Health European Office, c/o American Embassy.	
Do	Visa Medical Examination Office.	Visa Medical Examination Office, USPHS, c/o American Embassy.	
GERMANY:			
Berlin	do	do	
Frankfurt	do	do	
Hamburg	do	do	
Munich	do	do	
GREECE:			
Athens	do	do	
HONG KONG, BCC:			
Hong Kong	do	do	
ITALY:			
Naples	do	do	
Palermo	do	do	

State and city	Type of office or facility	Name and address	Zip Code
JAPAN: Tokyo	International Office	National Institutes of Health Pacific Office, c/o American Embassy.	
MEXICO: Mexico City	Visa Medical Examination Office.	Visa Medical Examination Office, USPHS, c/o American Embassy.	

*Includes also the following OSG components that use 9000 Rockville Pike as a mailing address but are physically elsewhere in Bethesda: the "Public Health Reports" Branch, Office of Information and Publications; the Contract Audit and Cost Advisory Branch and the Fiscal Branch, Division of Finance; the Division of Grants and Contracts the Division of Internal Audit; the Division of Procurement and Materiel Management; and the Office of Personnel

[SEAL]

JOHN W. GARDNER,
Secretary, Department of Health, Education, and Welfare.

JUNE 29, 1967.

[F.R. Doc. 67-7697; Filed, July 3, 1967; 8:55 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

AIRPORT DISTRICT OFFICE AT CHARLOTTE, N.C.

Notice of Closing

Notice is hereby given that on or about July 1, 1967, the Airport District Office at Charlotte, N.C., will be closed. Services to the aviation public of North Carolina, formerly provided by this office, will be provided by the Atlanta Area Airports Branch Office in Atlanta, Ga. This information will be reflected in the FAA Organization Statement the next time it is reissued.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Atlanta, Ga., on June 22, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-7589; Filed, July 3, 1967; 8:49 a.m.]

AIRPORT TRAFFIC CONTROL TOWER, HOLLYWOOD, FLA.

Notice of Commissioning

Notice is hereby given that on or about June 26, 1967, the Airport Traffic Control Tower at North Perry Airport, Hollywood, Fla., will begin operation, providing VFR airport traffic control services to aircraft operating at North Perry Airport.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 67-7590; Filed, July 3, 1967; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-284]

IDAHO STATE UNIVERSITY

Notice of Proposed Issuance of Construction Permit and Facility License

The Atomic Energy Commission ("the Commission") is considering the issuance of a construction permit, substantially as set forth below, to Idaho State University, which would authorize the university to receive, possess and construct a Model AGN-201, Serial No. 103, nuclear reactor presently owned by Aerojet-General Corp. under Facility License R-10, as amended, and located at San Ramon, Calif. The reactor will be disassembled, transferred from its present location to Pocatello, Idaho, and reconstructed on the campus of Idaho State University by Aerojet-General Corp.

Upon completion of the installation of the facility in compliance with the terms and conditions of the construction permit, the Commission, in the absence of good cause to the contrary, will issue a facility license, substantially in the form also set forth below, authorizing operation of the reactor by Idaho State University.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this construction permit and facility license may file a petition for leave to intervene. A request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued.

For further details with respect to this proposed issuance, see (1) the application dated April 3, 1967, and amendment thereto dated May 5, 1967, and (2) the related Safety Evaluation prepared by the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the Safety Evaluation may be obtained at the Commission's Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 27th day of June, 1967.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor. Assistant Director for Reactor Operations, Division of Reactor Licensing.

The Atomic Energy Commission (hereinafter "the Commission") having found that:

a. The application for license, dated April 3, 1967, as amended May 5, 1967, complies with the requirements of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. There is reasonable assurance that a Model AGN-201, Serial No. 103, nuclear reactor can be constructed at the designated location without endangering the health and safety of the public;

c. Idaho State University is financially and technically qualified to receive, possess and construct the reactor at the location as described in the application;

d. Idaho State University is a nonprofit educational institution and will use the reactor for the conduct of educational activities and is therefore exempt from the financial protection requirement of subsection 170a of the Act; and

e. Issuance of the proposed construction permit will not be inimical to the common defense and security or to the health and safety of the public.

Construction Permit No. CPRR-_____, effective as of the date of issuance, is hereby issued as follows:

1. This license applies to a Model AGN-201, Serial No. 103, nuclear reactor (hereinafter "the reactor"), formerly owned and operated by the Aerojet-General Corp., San Ramon, Calif., under Facility License No. R-10, Docket No. 50-32, which is described in the Idaho State University application for license dated April 3, 1967, and the amendment thereto dated May 5, 1967 (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Idaho State University:

A. Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Chapter 1, CFR, Part 50, "Licensing of Production and Utilization Facilities," to receive, possess and construct, but not to operate, the reactor at the designated location on the university's campus in Pocatello, Idaho, in accordance with the procedures and limitations described in the application and this construction permit;

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material," to receive, possess and store up to 700 grams of contained uranium-235;

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to receive, possess and store at the designated location, but not to separate, such byproduct material as may be contained in the reactor.

3. This permit shall be deemed to contain and be subject to the conditions specified in Part 20, § 30.34 of Part 30, §§ 50.54 and 50.55 of Part 50, and § 70.32 of Part 70 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. The earliest date for the completion of the construction of the reactor is July 15, 1967, and the latest date for the completion of the construction of the reactor is October 15, 1967.

B. The construction of the reactor at the location on the campus of Idaho State University shall be accomplished in accordance with the procedures described in the application.

C. This Construction Permit is contingent upon the execution of an indemnity agreement as required by section 170 of the Act.

4. Upon completion of the construction of the reactor at the designated location in accordance with the terms and conditions of this permit, and upon finding that the reactor will operate in conformity with the provisions of the Act and the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license to operate the reactor would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to Idaho State University pursuant to section 104c of the Act, which license shall expire twenty (20) years after the date of this construction permit.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

Proposed Construction Permit

The Atomic Energy Commission (hereinafter "the Commission") having found that:

A. The application for license complies with the requirements of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

B. The reactor has been constructed in conformity with Construction Permit No. CPRR-_____ and will operate in conformity with the application and in conformity with the Act and the rules and regulations of the Commission;

C. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public;

D. Idaho State University is technically and financially qualified to engage in the activities authorized by this license in accordance with the rules and regulations of the Commission;

E. Idaho State University is a nonprofit educational institution and will operate the reactor for the conduct of educational activities. Idaho State University is therefore exempt from the financial requirements of subsection 170a of the Act; and

F. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

Facility License No. R-_____, effective as of the date of issuance, is hereby issued as follows:

1. This license applies to a Model AGN-201, Serial No. 103, nuclear reactor (hereinafter "the reactor") which is owned by the Idaho State University (hereinafter "the licensee"), located on the campus in Pocatello, Idaho, and described in the licensee's application for license, dated April 3, 1967, and the amendment thereto dated May 5, 1967 (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Idaho State University:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the reactor as a utilization facility at the designated location in Pocatello, Idaho.

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material," to receive, possess and use up to 700 grams of contained uranium-235 in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to possess, but not to separate, such byproduct material as may be produced by operation of the reactor.

3. This license shall be deemed to contain and be subject to the conditions specified in Part 20, § 30.34 of Part 30, §§ 50.54 and 50.59 of Part 50 and § 70.32 of Part 70 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. *Maximum power level.* The licensee is authorized to operate the reactor at steady state power levels up to a maximum of 100 milliwatts.

B. *Technical specifications.* The Technical Specifications contained in Appendix A [1] to this license (hereinafter "the Technical Specifications") are hereby incorporated in this license. Except as otherwise permitted by the Act and the rules, regulations and orders of the Commission, the licensee shall operate the reactor in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in 10 CFR 50.59.

C. *Reports.* In addition to reports otherwise required under this license and applicable regulations:

(1) The licensee shall inform the Commission of any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications or in the Safety Analysis Report. For each such occurrence, the licensee shall promptly notify by telephone or telegraph, the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in appendix D of 10 CFR Part 20 and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing (hereinafter "the Director, DRL") with a copy to the Regional Compliance Office.

(2) The licensee shall report to the Director, DRL, in writing within thirty (30) days of its observed occurrence any substantial variance disclosed by operation of the reactor from performance specifications contained in the Safety Analysis Report or the Technical Specifications.

(3) The licensee shall report to the Director, DRL, in writing thirty (30) days of its occurrence any significant changes in transient or accidental analysis as described in the Safety Analysis Report.

D. *Records.* In addition to those otherwise required under this license and applicable regulations the licensee shall keep the following records:

(1) Reactor operating records, including power levels.

(2) Records of in-pile irradiations.

(3) Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at the point of such release or discharge.

(4) Records of emergency reactor scrams, including reasons for emergency shutdowns.

4. This license is effective as of the date of issuance and shall expire at midnight.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 67-7540; Filed, July 3, 1967; 8:45 a.m.]

[1] This item was not filed with the Office of the Federal Register but will be available for inspection in the Public Document Room of the Atomic Energy Commission.

BUREAU OF THE BUDGET

ORGANIZATION AND INFORMATION

Pursuant to and in conformity with section 552 of Title 5, United States Code, the following notice is published:

ORGANIZATION

Sec.
1 General.
2 Authority and functions.
3 Organization.

PROCEDURES

10 Methods of operation.
11 Procedural information.
12 Substantive rules, policies, and interpretation.

AVAILABILITY OF INFORMATION

20 Opinions, orders, manuals, etc.
21 Identifiable records.
22 Agency proceedings; voting records.

EXCEPTIONS

30 Exceptions.

ORGANIZATION

SECTION 1. *General.* This information is furnished for the guidance of the public, in compliance with the requirements of section 552 of title 5, United States Code, as amended, and in the interest of making available to the public all of the information in the possession of the Bureau of the Budget which may be divulged without jeopardizing the welfare of the Government or the rights of individuals.

SEC. 2. *Authority and functions.* (a) The Bureau of the Budget was established by the Budget and Accounting Act, 1921 (42 Stat. 20, 31 U.S.C. 1–25). The Bureau was transferred to the Executive Office of the President by Reorganization Plan No. I of 1939 (53 Stat. 1423, 5 U.S.C. 1135, note).

(b) In addition to the Budget and Accounting Act, 1921, the principal statutory authorities of the Bureau of the Budget are contained in the Federal Reports Act of 1942 (56 Stat. 1078); the Government Corporation Control Act (59 Stat. 597, 31 U.S.C. 841–869); and the

Budget and Accounting Procedures Act of 1950 (64 Stat. 832).

(c) The functions of the Bureau of the Budget are carried out pursuant to the provisions of the statutes cited above and the provisions of various Executive orders—principally, Executive Order No. 8248 of September 8, 1939 (3 CFR Cum. Supp., p. 576), outlining certain functions performed by the Bureau for the President, and Executive Order No. 11230 of June 28, 1965 (3 CFR 1965 Supp., p. 146), as amended, delegating certain functions of the President to the Director of the Bureau of the Budget.

SEC. 3. *Organization.* The central organization of the Bureau of the Budget consists of—

(a) The Office of the Director, which includes the Director, the Deputy Director, and three statutory Assistant Directors.

(b) Five offices and one staff office, with Government-wide responsibilities in specialized areas, as follows:

Office of Budget Review.
Office of Financial Management.
Office of Legislative Reference.
Office of Management and Organization.
Office of Statistical Standards.

Program Evaluation Staff.

(c) Seven program divisions, as follows:

Commerce and Housing Division.
Education, Manpower, and Science Division.
General Government Division.
Health and Welfare Division.
International Division.
Military Division.
Resources and Civil Works Division.

(d) The Bureau has no field organization.

(e) The public may obtain information, make submittals or requests, or obtain decisions at—

(1) Bureau of the Budget, Executive Office of the President, Washington, D.C. 20503, Telephone: 395—3000 (area code 202).

(2) Most units of the Bureau of the Budget are presently located in the Executive Office Building, 17th Street and Pennsylvania Avenue NW., Washington, D.C. 20503. Regular office hours are from 9 a.m. to 5:30 p.m., Monday through Friday.

(3) The Executive Office Building is under the security control of the U.S. Secret Service, and admission to the building is by appointment. Persons desiring to visit Bureau officers or employees will usually find it easier to do so if they write or telephone in advance for an appointment.

(f) No formal methods are prescribed for handling Bureau of the Budget functions which may concern a private party. Requests, using the address or telephone number listed above, may be made to the Director of the Bureau of the Budget concerning any function or activity of the Bureau, or to the following employees in the circumstances indicated—

Information Officer (inquiries from information media).

Records Officer (for examination of records).

Administrative Assistant (matters relating to internal administration).

Personnel Officer (matters relating to employment).

Head of an office or chief of a program division (matters relating to substantive functions of the particular office or division).

Administrative Services Officer (matters relating to contracts for supplies or services to be furnished to the Bureau).

PROCEDURES

SEC. 10. *Methods of operation.*

(a) No formal procedures are prescribed for dealing with the public. The general course and method of channeling and determining Bureau functions is through the program divisions (with guidance from the offices in their specialized fields) to the Deputy Director and the Director.

(b) Matters covered by this section may be dealt with upon the basis of a written presentation or, in the discretion of the Director or other Bureau official or employee concerned, upon the basis of an informal oral presentation.

SEC. 11. *Procedural information.* (a) Information as to the procedure to be followed by a private party with respect to any substantive function of the Bureau may be obtained from the officials, and at the address or telephone number, listed in section 3.

(b) No particular forms are prescribed for use by a private party in connection with substantive functions of the Bureau. Forms prescribed for Government-wide use in connection with administrative matters may be obtained from the Administrative Assistant to the Director or the Administrative Services Officer at the address shown in paragraph (e) of section 3.

SEC. 12. *Substantive rules, policies, and interpretations.* The Bureau has not adopted or formulated any substantive rules or statements of general policy or interpretations of general applicability regarding substantive functions of the Bureau which may directly affect a private party. Matters coming before the Bureau which are of concern to particular members or groups of the public are handled informally in the manner best suited to the particuar situation.

AVAILABILITY OF INFORMATION

SEC. 20. *Opinions, orders, manuals, etc.* (a) The Bureau of the Budget has few direct dealings with the public and has not developed a body of case law such as would constitute precedential material for resolving particular matters affecting private parties. Specifically—

(1) *Opinions and orders.* The Bureau is not directly involved in the adjudication of cases involving private parties and does not render final opinions or orders in such matters.

(2) *Statements of policy and interpretation.* The Bureau has not adopted statements of policy or interpretation which are relied upon in the handling of substantive functions of the Bureau which may indirectly affect the public.

(3) *Manuals and instructions—indexes.* The materials indexed below are available for inspection and copying, and those marked with an asterisk are also for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20202—

*The Budget of the United States.
*The Budget of the United States—Appendix.
*The Budget of the United States—The District of Columbia.
*The Budget in Brief.
*Special Analyses, Budget of the United States.
Bureau of the Budget Manual (except those sections relating solely to internal administration of the Bureau).
Principal Laws Relating to the Bureau of the Budget.
The Bureau of the Budget (A Digest on the Bureau of the Budget).
Bureau of the Budget Circulars and index.
Bureau of the Budget Bulletins and index.
*Standard Industrial Classification Manual.
*Standard Metropolitan Statistical Areas.
*Statistical Services of the U.S. Government.
*Statistical Reporter.

(b) Appointments for inspection or copying of materials listed in subsection (a) during regular business hours may be made by writing or telephoning the Records Officer at the address or telephone number listed in paragraph (e) of section 3. Such materials may be copied manually without charge, and reasonable facilities will be made available for that purpose. Also, copies of individual pages of such materials will be made available at the price per page specified in paragraph (2) of section 21(a); however, the right is reserved to limit to a reasonable quantity the copies of materials offered for sale by the Superintendent of Documents.

SEC. 21. *Identifiable records.* (a) Except with respect to records made available under prior sections of this notice, copies of identifiable records of the Bureau will be furnished upon written application to the Records Officer at the address shown in paragraph (e) of section 3, subject to the following:

(1) The request must describe the desired record with sufficient particularity to permit identification.

(2) A charge of 25 cents per page will be made for each copy furnished; the minimum charge will be $1. A charge of $5 per person per hour will be made for time spent in searching for records, regardless of whether the search is successful; the minimum charge will be $2. Where the estimated total cost for searching and copying is less than $5, the records will be furnished with appropriate billing instructions; where the estimated total cost is $5 or more, the person requesting the record will be informed of the estimated cost and will be required to make payment of not less than 75 percent of the estimated cost in advance of receiving the materials.

(3) Notwithstanding the foregoing, materials may be furnished without charge to foreign governments, other governmental agencies or units, nonprofit educational organizations, or other applicants whenever the Records Officer determines that such action would further the performance of the functions of the Bureau of the Budget.

SEC. 22. *Agency proceedings; voting records.* The Bureau of the Budget does not conduct agency proceedings which are settled by vote and has no records of that nature.

EXCEPTIONS

SEC. 30. *Exceptions.* Except to the extent that the Director in his sole discretion, upon request for review initiated in writing by an applicant, determines that a record which falls within one of the following categories may be made available, this section shall not apply to matters that are—

(a) Specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(b) Related solely to the internal personnel rules and practices of the Bureau;

(c) Specifically exempted from disclosure by statute;

(d) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(e) Interagency or intraagency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Bureau;

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(g) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(h) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(i) Geological and geophysical information and data, including maps, concerning wells.

Effective date. The provisions of this notice shall be effective July 4, 1967.

CHARLES L. SCHULTZE,
Director of the Bureau of the Budget.

[F.R. Doc. 67-7630; Filed, July 3, 1967; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 18697 etc.; Order No. E-25858]

CERTAIN AIR TRANSPORTATION FOR DEPARTMENT OF DEFENSE

Order Granting Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of June 1967.

Application for exemption from section 403 of the Act for certain air transportation for the Department of Defense, Dockets 18697, 18711, 18714.

On June 16, 1967, the Department of Defense (DOD) filed a petition (Docket 18697) requesting the Board to amend § 399.16 of the Statements of General Policy, or to take such other action as may be required, to grant to air carriers providing the type of service for DOD to which §§ 399.16 (d) and (e) apply a blanket exemption from the requirements of section 403 of the Act. DOD states that tariffs and rules filed for the transportation of this traffic (so-called Category A and X) sometimes conflict with MAC contract provisions and have resulted in problems in tariff interpretation and contract administration. Noting that the Board has recently granted a blanket exemption from Section 403 to air carriers performing DOD charter services for which minimum rates are prescribed in Part 288 of the Economic Regulations,[1] DOD requests that a similar exemption be granted to air carriers performing the individual services to which §§ 399.16 (d) and (e) apply. The blanket exemption would relieve the carriers of the necessity of applying for individual exemptions. Since the air transportation to be provided under MAC contracts begins on July 1, 1967, DOD requests expeditious treatment of its petition.

Pan American World Airways, Inc., has filed an answer in support of the DOD petition, and Pan American (Docket 18711) and Trans World Airlines, Inc. (Docket 18714) have filed applications requesting similar exemptions.[2]

In view of the short time remaining before the beginning of the new DOD contract year, we will act upon the DOD petition by this order rather than by rule-making proceedings. We intend to codify our action at a later date and will therefore limit the exemption granted herein to fiscal year 1968.

We have not previously granted general exemptions from section 403 to the carriers performing Category A and X transportation because the carriers involved have filed tariffs for such transportation and have not requested such exemptions. However, those carriers principally involved now indicate their desire for the issuance of an exemption from section 403.

In order to relieve the carriers of the burden of filing tariffs for these limited categories of military traffic, we will grant the exemption, conditioned upon the carriers' observance of the minimum rates prescribed in §§ 399.16 (d) and (e). Hereafter, no tariffs will be accepted for the transportation of Category A or X traffic pursuant to contracts with DOD, and we will expect the carriers to cancel such tariffs now on file.

In view of the foregoing, we find that the enforcement of section 403 of the Act and the Board's regulations thereunder would be an undue burden on air carriers performing the above-described services for DOD, by reason of unusual circumstances affecting these operations of the carriers, and is not in the public interest.

Accordingly, pursuant to section 416 of the Federal Aviation Act of 1958: *It is ordered,* That air carriers be, and they hereby are, exempted from July 1, 1967, through June 30, 1968, from the requirements of Section 403 of the Act and Part 221 of the Economic Regulations with respect to the transportation pursuant to contracts with the Department of Defense of (1) Category A individually ticketed passengers and individually waybilled cargo on regularly scheduled commercial service for the Department of Defense in foreign and overseas air transportation and in air transportation between the 48 contiguous States on the one hand and Hawaii and Alaska on the other hand, and (2) Category X passengers carried pursuant to option provisions of MAC contracts in the direction opposite to individually waybilled cargo: *Provided,* That, in the absence of specific Board approval, this exemption is conditioned on the observance of the minimum charges and conditions specified in §§ 399.16(d) and (e) of the Board's Statements of General Policy, and is applicable only to services for which minimum charges and conditions are so specified.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-7620; Filed, July 3, 1967; 8:51 a.m.]

[1] ER-494, effective June 1, 1967.

[2] The carriers' requests for specific exemptions from the planeload requirement for the transportation of Category X passengers will be dealt with in a separate order.

[Docket No. 17730]

MILLARDAIR LTD.

Notice of Prehearing Conference

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional, or infrequent nature in common carriage from Canada into the United States.

Notice is hereby given that a prehearing conference on the above-entitled matter is assigned to be held on August 4, 1967, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., June 28, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-7621; Filed, July 3, 1967; 8:51 a.m.]

[Docket No. 18710]

MILLARDAIR LTD.

Notice of Prehearing Conference

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional, or infrequent nature in common carriage from Canada into the United States.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on August 4, 1967, at 11:00 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut

Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., June 28, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-7622; Filed, July 3, 1967; 8:52 a.m.]

[Docket No. 17876]

SALT LAKE CITY-LAS VEGAS-SOUTHERN CALIFORNIA SERVICE CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on July 25, 1967, at 10 a.m. local time in the Moot Courtroom, College of Law, 345 University Street, Salt Lake City, Utah, before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on March 22, 1967, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., June 27, 1967.

[SEAL] WILLIAM J. MADDEN,
Hearing Examiner.

[F.R. Doc. 67-7623; Filed, July 3, 1967; 8:52 a.m.]

[Docket No. 18078]

TRANSATLANTIC AND TRANSPACIFIC AND MILITARY SERVICE MAIL RATE CASE

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on July 27, 1967, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner F. Merritt Ruhlen.

In order to facilitate the conduct of the conference, interested parties are instructed to submit to the examiner and other parties on or before July 24, 1967, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., June 27, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-7624; Filed, July 3, 1967; 8:52 a.m.]

[Docket No. 18588]

TRANSAVIA, N. V.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-titled proceeding will be held on July 19, 1967, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on June 22, 1967, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., on June 28, 1967.

[SEAL] WILLIAM J. MADDEN,
Hearing Examiner.

[F.R. Doc. 67-7625; Filed, July 3, 1967; 8:52 a.m.]

CIVIL SERVICE COMMISSION

NURSES, NEW ORLEANS, LA.

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and E.O. 11073, the Civil Service Commission has increased the minimum rates and rate ranges for positions of Nurse, GS-610-4 through 8, and Public Health Nurse, GS-615-5 through 8. The revised rate ranges are:

PER ANNUM RATES

Grade	1[1]	2	3	4	5	6	7	8	9	10
GS-4	$5,576	$5,736	$5,896	$6,056	$6,216	$6,376	$6,536	$6,696	$6,856	$7,016
GS-5	6,035	6,211	6,387	6,563	6,739	6,915	7,091	7,267	7,443	7,619
GS-6	6,461	6,659	6,857	7,055	7,253	7,451	7,649	7,847	8,045	8,243
GS-7	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368	8,581	8,794
GS-8	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183	9,418

[1] Corresponding statutory rates: GS-4—Sixth; GS-5—Fifth; GS-6—Fourth; GS-7—Third; GS-8—Second.

The Commission also has increased the minimum rate and rate range for positions of Nurse, PFS-610-5. The revised rate range is:

Per annum rates

Level	1[1]	2	3	4	5	6	7	8	9	10	11	12
PFS-5	$6,461	$6,652	$6,843	$7,034	$7,225	$7,416	$7,607	$7,798	$7,989	$8,180	$8,371	$8,562

[1] Corresponding statutory rate is the fifth step.

Geographic coverage is New Orleans, La.

The effective date will be the first day of the first pay period beginning on or after June 17, 1967.

All new employees in the specified occupational levels will be hired at the new minimum rate.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the statutory rate range shall receive basic compensation at the corresponding numbered rate authorized by this letter on and after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335 or 39 U.S.C. 3553.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-7608; Filed, July 3, 1967; 8:50 a.m.]

NURSES, WASHINGTON, D.C.

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and E.O. 11073, the Civil Service Commission has increased the minimum rates and rate ranges for positions of Nurse, GS-610-5 through 10, and Public Health Nurse, GS-615-5 through 10. The revised rate ranges, including GS-4 rates previously established, are:

PER ANNUM RATES

Grade	1[1]	2	3	4	5	6	7	8	9	10
GS-4	$5,736	$5,896	$6,056	$6,216	$6,376	$6,536	$6,696	$6,856	$7,016	$7,176
GS-5	6,387	6,563	6,739	6,915	7,091	7,267	7,443	7,619	7,795	7,971
GS-6	6,857	7,053	7,253	7,451	7,649	7,847	8,045	8,243	8,441	8,639
GS-7	7,303	7,516	7,729	7,942	8,155	8,368	8,581	8,794	9,007	9,220
GS-8	7,773	8,008	8,243	8,478	8,713	8,948	9,183	9,418	9,653	9,888
GS-9	8,215	8,479	8,740	9,001	9,262	9,523	9,784	10,045	10,306	10,567
GS-10	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013	11,301

[1] Corresponding statutory rates: GS-4—Seventh; GS-5—Seventh; GS-6—Sixth; GS-7—Fifth; GS-8—Fourth; GS-9—Third; GS-10—Second.

The revised rate ranges for positions of Nurse, PFS-610-5 and 6 are:

PER ANNUM RATES

Level	1[1]	2	3	4	5	6	7	8	9	10	11	12
PFS-5	$6,843	$7,034	$7,225	$7,416	$7,607	$7,798	$7,989	$8,180	$8,371	$8,562	$8,753	$8,944
PFS-6	7,128	7,331	7,534	7,737	7,940	8,143	8,346	8,549	8,752	8,955	9,158	9,361

[1] Corresponding statutory rates: PFS-5—Seventh; PFS-6—Sixth.

Geographic coverage is the Washington, D.C., Standard Metropolitan Statistical Area including the D.C. Government's Children's Center, Laurel, Md., and the U.S. Marine Corps Base, Quantico, Va. The SMSA includes Washington, D.C.; Montgomery County and Prince Georges County, Md.; Alexandria City, Fairfax City, Falls Church City, Arlington County, Fairfax County, Loudoun County, and Prince William County, Va.

The effective date will be the first day of the first pay period beginning on or after July 1, 1967.

All new employees in the specified occupational levels will be hired at the new minimum rate.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the statutory rate range shall receive basic compensation at the corresponding numbered rate authorized by this notice on and after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335 or 39 U.S.C. 3552.

UNITED STATES CIVIL SERVICE COMMISSION
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-7609; Filed, July 3, 1967; 8:50 a.m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

CENTRAL AND FIELD ORGANIZATION

Description

The following is a Description of the Central and Field Organization of the Federal Deposit Insurance Corporation and the delegations of final authority made by the Board of Directors of the Corporation:

Sec.
1 Central organization.
2 Field organization.
3 Delegations of final authority.

SECTION 1. *Central organization*—(a) *Board of Directors.* The Federal Deposit Insurance Act (64 Stat. 873; 12 U.S.C. 1811–1831) vests the management of the Federal Deposit Insurance Corporation (hereinafter referred to as the Corporation) in a Board of Directors consisting of three members, who are appointed by the President by and with the advice and consent of the Senate for terms of 6 years. One member is the Comptroller of the Currency by virtue of his office. One of the appointive members, elected by the Board of Directors, acts as its Chairman and presides at all its meetings. The Acting Comptroller of the Currency is a member of the Board in the place and stead of the Comptroller in the event of a vacancy in the office of the Comptroller, and pending the appointment of his successor, or during his absence or disability. In the event of a vacancy in the office of the Chairman, and pending the appointment of his successor, the Comptroller of the Currency acts as Chairman. The Board of Directors is responsible for the performance of all duties and exercises all powers vested by law in the Corporation. The Board of Directors has assigned certain functions to the several officers, committees, and Divisions of the Corporation for the performance of which they are responsible to the Board.

The principal office of the Corporation, and the offices of the members of the Board and of the Secretary of the Corporation, are located at 550 17th Street NW., Washington, D.C. 20429.

(b) *Secretary.* The Secretary of the Corporation is the chief recording and custodial officer of the Board of Directors and of the Corporation, has legal custody of the seal of the Corporation, and is responsible for the maintenance and custody of the minutes and other official records of the Board, and, except as otherwise directed by the Board, the furnishing of notice of matters acted upon by the Board, the certification and ensealing of all resolutions, papers, and documents requiring certification on behalf of the Corporation or the affixation of its corporate seal, the issuance of certificates of membership, or duplicates thereof, to insured banks.

(c) *Committees*—(1) *Board of Review.* A Board of Review, consisting of a member of the Board of Directors and such staff members of the Corporation as are thereto appointed by the Board of Directors, has been established to consider in those cases referred to it the recommendations from the Division of Examination relative to applications from banks for deposit insurance, for consent by the Corporation to retirement or reduction of capital, change of location of main office, establishment, operation, or change of location of branches, conversions into another bank, merger, consolidation, deposit assumption and asset acquisition transactions, extensions by State nonmember insured banks (except District banks) of corporate or charter powers, and to the service of bank directors, officers and employees convicted of certain offenses, and other similar requests and recommendations to terminate the insured status of a bank, or to issue cease and desist orders and suspension or removal orders, and to recommend to the Board of Directors the action to be taken thereon.

(2) *Committee on Liquidations, Loans, and Purchases of Assets.* A Committee on Liquidations, Loans, and Purchases of Assets, consisting of a member of the Board of Directors and such staff members of the Corporation as are thereto appointed by the Board, has been established to consider in those cases referred to it recommendations from the Division of Examination relative to applications by insured banks for financial assistance by means of loans to, or purchases of assets from, or deposits by the Corporation in insured banks, and recommendations from the Division of Liquidation relative to payment of insured deposits and liquidation activities, and to recommend to the Board of Directors the action to be taken thereon.

(3) *Special Committee.* A Special Committee, consisting of a member of the Board of Directors and such staff members of the Corporation as are thereto appointed by the Board, has been established to consider in those cases referred to it recommendations from the Legal Division with respect to legal matters requiring action of the Board, including applications for exemption from the advertising regulations of the Corporation, compromises or settlements of litigation in which the Corporation has an interest, claims by or against the Corporation which are not in connection with matters considered by the Committee on Liquidations, Loans, and Purchases of Assets, fixing of fees of attorneys retained by the Corporation; and to consider administrative procedure, rules, regulations, and forms of the Corporation, proposed changes in laws and regulations on assessment matters, instructions on preparation of certified state-

ments and payment of assessments and problems of field audit of certified statements; and to consider recommendations from the several Divisions of the Corporation which are referred to it with respect to matters requiring Board action, except as otherwise prescribed; and to recommend to the Board of Directors the action to be taken thereon.

(d) *Divisions*—(1) *Division of Examination.* The Division of Examination, headed by a Chief, is responsible for the regular examination of insured State nonmember banks and affiliates, State nonmember banks applying to become insured banks, closed insured banks, and for the special examination of other insured banks; reviews reports of such examinations as well as reports of examinations made by the office of the Comptroller of the Currency, in the case of national and District banks, and by the Federal Reserve banks, in the case of State member banks; for the education and training of examiners; advises, assists, and makes recommendations to, the Board of Directors with respect to any supervisory action pertaining to insured banks, including termination of insured status, cease and desist orders and suspension or removal orders; conducts investigations and makes recommendations to the Board of Directors on applications for consent to the service of bank directors, officers and employees convicted of certain offenses, applications for deposit insurance, applications for consent to the merger, consolidation, deposit assumption and asset acquisition transactions, applications for consent to the retirement or reduction of capital, applications for consent to the establishment and operation of branches, the change of location of the main office, or branch, the extension of corporate activities; submits to other Federal banking agencies reports on the competitive factors involved in merger applications; administers the Corporation's responsibilities in connection with the Bank Service Corporations Act, the Securities Acts Amendments of 1964, changes in the control of bank stock; and performs such other functions and activities as may be assigned from time to time by the Board of Directors.

(2) *Legal Division.* The Legal Division, headed by a General Counsel, advises and assists the Board of Directors and the several Divisions of the Corporation with repect to all legal matters concerning the functions, activities, and operations of the Corporation, including all litigation, correspondence of a legal character, interpretation of organic law and Federal and State laws applicable to or affecting the Corporation or its activities, and the preparation of rules, regulations, orders and opinions as permitted by law, and documents of a legal character.

(3) *Office of the Controller.* The Controller is the chief financial, fiscal, and accounting officer of the Corporation, is responsible for the maintenance and custody of all accounting records, for prescribing accounting methods and procedures, for the custody, safekeeping, receipt, deposit, and disbursement of all funds of the Corporation and accountability therefor, for the custody of all assets other than those within the responsibility of the Chief of the Division of Liquidation, for supervision over and responsibility for the administration of assessment laws and regulations, for supervision of the Office of Education and Publications, and for the supervision and direction of all personnel, budget, administrative services, and services and supply functions of the Corporation.

(4) *Division of Liquidation.* The Division of Liquidation, headed by a Chief, supervises, is responsible for, and advises, assists, and makes recommendations to the Board of Directors with respect to payments to depositors of closed insured banks, the liquidation of national banks and insured State banks for which the Corporation is appointed receiver, the liquidation of closed insured banks for which the Corporation is not receiver, and with respect to loans to, purchases of assets from, or deposits by the Corporation in, open or closed insured banks and the liquidation of assets acquired thereby.

(5) *Division of Research.* The Division of Research, headed by a Chief, provides economic counsel to the Board of Directors. It supervises, is responsible for, and advises and assists the Board of Directors with respect to continuing and special studies pertaining to deposit insurance, banking, finance, and economic matters, and the collection, compilation, and interpretation of statistical data relating to the condition and operations of banks.

(6) *Audit Division.* The Audit Division, headed by a Chief, conducts and is responsible for a continuous administrative audit of all fiscal and accounting activities of the Corporation and evaluation of internal audit and fiscal controls, and the preparation of detailed and summary audit reports to the Board of Directors.

(e) *Location of divisions.* All of the divisions of the Corporation are located at the principal office of the Corporation at 550 17th Street NW., Washington, D.C. 20429.

SEC. 2. *Field organization*—(a) *District offices.* The United States is divided into 14 Federal Deposit Insurance Districts. The Corporation maintains an office in each of such Districts. Each District office is headed by a Supervising Examiner who is appointed by the Board of Directors and functions under the supervision of the Chief of the Division of Examination. Each Supervising Examiner is assisted by one or more Assistant Supervising Examiners and by a staff of examiners, assistant examiners, and clerical and stenographic employees. The Supervising Examiner directs and supervises the examination by the Corporation of insured banks located within the States and Territories comprising the District, make recommendations to the Chief of the Division of Examination with respect to applications and other activities as set forth in paragraph 1(d) hereof, and acts as the Corporation's representative in dealing directly with insured banks and State bank supervisory authorities in his District regarding bank supervisory matters. The location of the District offices and the States and Territories comprising each District are as follows:

Address and Area in District
State Street Bank Building, 225 Franklin Street, Suite 805, Boston, Mass. 02110. (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.)
74 Trinity Place, New York, N.Y. 10006. (New Jersey, New York, Puerto Rico, Virgin Islands.)
Suite 950, Public Ledger Building, Sixth and Chestnut Streets, Philadelphia, Pa. 19106. (Delaware, Pennsylvania.)
403 East Grace Street, Richmond, Va. 23219. (District of Columbia, Maryland, North Carolina, South Carolina, Virginia.)
1000 Bank of Georgia Building, Atlanta, Ga. 30303. (Alabama, Florida, Georgia.)
Huntington Trust Building, Suite 600, 37 West Broad Street, Columbus, Ohio 43215. (Kentucky, Ohio, West Virginia.)
715 Tenney Building, Madison, Wis. 53703. (Michigan, Wisconsin.)
164 West Jackson Boulevard, Chicago, Ill. 60604. (Illinois, Indiana.)
420 Locust Building, 1015 Locust Street, St. Louis, Mo. 63101. (Kansas, Missouri.)
First National Bank Building, Suite 1606, 165 Madison Avenue, Memphis, Tenn. 38103. (Arkansas, Louisiana, Mississippi, Tennessee.)
748 Roanoke Building, Minneapolis, Minn. 55402. (Minnesota, Montana, North Dakota, South Dakota, Wyoming.)
1708 Federal Reserve Bank Building, Kansas City, Mo. 64106. (Iowa, Nebraska.)
Station K, Dallas, Tex. 75222. (Colorado, New Mexico, Oklahoma, Texas.)
Wells Fargo Building, Suite 3600, 44 Montgomery Street, San Francisco, Calif. 94104. (Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, Washington, Guam.)

(b) *Agents for service of process.* The Board of Directors, in accordance with the provisions of section 9 Fourth of the Federal Deposit Insurance Act (12 U.S.C. 1819) has designated an agent upon whom service of process may be made in each State, Territory, and other jurisdiction in which an insured bank is located. Persons desiring to serve process upon the Corporation in any jurisdiction may obtain the name and address of the proper agent by communicating with the Secretary of State or corresponding official in such jurisdiction, the Supervising Examiner for the District including such jurisdiction, or the General Counsel of the Corporation at Washington, D.C.

(c) *Liquidators.* The Corporation appoints a Liquidator for each receivership of an insured national bank or District bank or insured State bank for which the Corporation is appointed receiver, as well as for the liquidation of the assets acquired by the Corporation pursuant to a loan or purchase of assets. Under the control of the Board of Directors, and subject to the supervision of the Chief of the Division of Liquidation, a Liquidator is the official representative of the Corporation with respect to the receivership or liquidation entrusted to his charge, and, in general, is the supervisor immediately in charge of the liquidation or receivership on behalf of the Corporation. Local field offices are ordinarily maintained by such Liquidators with respect to such receiverships and liquida-

tions and located in the community in which the closed insured bank was engaged in business. Persons desiring to communicate or transact business with any such Liquidator may obtain his name and address by communicating with the Chief of the Division of Liquidation of the Corporation at Washington, D.C.

(d) *Claim agents.* Pursuant to the provisions of subsection (b) of section 10 of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)), the Corporation appoints one or more Claim Agents for each insured bank which shall have been closed under circumstances requiring the Corporation, in accordance with applicable law, to make payment of the insured deposits therein. Under the control of the Board of Directors, and subject to the supervision of the Chief of the Division of Liquidation, the Claim Agent exercises the powers prescribed by law and is the official representative of the Corporation with respect to the payment of insured deposits in such closed bank and, in general, supervises the payoff of the insured depositors on behalf of the Corporation. Local field offices, as authorized by the Board of Directors, are maintained by such Claim Agents with respect to each such payoff and ordinarily are located at the site of the closed insured bank until the payoff has been fully or substantially completed. Persons desiring to communicate or transact business with any such Claim Agent may obtain his name and address by communicating with the Chief of the Division of Liquidation.

SEC. 3. *Delegations of final authority.* The Chief of the Division of Examination and the Supervising Examiner of the District in which the bank is located have been authorized to take final action with respect to the approval of certain applications, such as applications by a State nonmember insured bank to move its main office or branch or to obtain an extension of a time limitation imposed in connection with a previous application. This delegated authority is subject to certain limitations set forth in the delegations of authority which are available at the office of each Supervising Examiner. The Chief of the Division of Examination is also authorized to act upon applications by State nonmember insured banks for extensions of time of ninety days or less within which to register securities pursuant to the provisions of section 12(g) of the Securities Exchange Act of 1934, as amended. For the purpose of assuring the performance and continuity in the management functions and activities of the Corporation, the Board of Directors has delegated, to the extent deemed necessary, authority with respect to the management of the Corporation's affairs to certain designated officers, such authority to be exercised only in the event of an emergency, involving an enemy attack on the continental United States or other warlike occurrence, which renders the Board of Directors unable to perform the management functions and activities normally performed by it. Except as otherwise provided herein, or with respect to matters which generally involve conditions or circumstances requiring prompt action in the field for the better protection of the interests of the Corporation and to achieve flexibility and expedition in its operations and in the exercise of its functions, such as arise in connection with the Corporation's litigation and liquidation matters and with the payment of claims for insured deposits, the Board of Directors does not delegate its authority and no delegations of final authority within the statutory meaning of that phrase are made by the Board of Directors. Any person having a proper and direct concern therein may ascertain the scope of authority of any officer, agent, or employee of the Corporation by communicating with the Secretary of the Corporation.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] E. F. DOWNEY,
Secretary.

[F.R. Doc. 67-7536; Filed, July 3, 1967; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI 67-113 etc.]

WILLIAM HARVEY DENMAN ET AL.

Order Modifying Ruling and Granting Motions for Clarification of Order, Amendment of Answer, and Consolidation

JUNE 23, 1967.

William Harvey Denman, Trustee, et al. v. J. M. Huber Corp., Docket No. RI67-113; Mobil Oil Corp. v. Carl F. Matzen et al., Docket No. RI67-114; Western Natural Gas Co. v. Elmer Hennigh et al., Docket No. RI67-310; Pan American Petroleum Corp. v. Leland C. Waechter et al., Docket No. RI67-400.

The proceeding in Docket No. RI67-113 was begun by a petition for a declaratory order filed by William Harvey Denman, Trustee, et al. (Denman) following the decision of the Fifth Circuit Court of Appeals in J. M. Huber Corp. v. Denman, 367 F. 2d 104 (1966). J. M. Huber Corp. (Huber) filed an answer and a cross-complaint to Denman's petition and Denman filed an answer thereto. The proceedings in Docket No. RI67-114 and Docket No. RI67-310 were instituted by complaints filed by Mobil Oil Corp. (Mobil) and Western Natural Gas Co. (Western), to which answers were filed by the lessor defendants named in each proceeding. Mobil and Western submitted replies to these answers.

By order issued April 3, 1967, the Commission consolidated these proceedings for hearing. The common question presented is whether royalty payments made to the lessors named in these proceedings are subject to this Commission's jurisdiction under the Natural Gas Act. By order issued May 8, 1967, the Commission permitted intervention or the filing of amici briefs as requested by various lessor interests, producers, distributors and pipeline companies, including The Land and Royalty Owners of Louisiana (LAROLA).

The ruling on admission of evidence. The presiding examiner in prehearing conference ruled that "* * * under the Commission's order issued April 3, 1967 * * * the evidence to be received must relate and be confined to the issues set forth in the hearing order as it relates to the royalty interests named in the petitions and complaints named in the above dockets, i.e., that this proceeding is not a general investigation of all other royalty interests." The examiner was asked to explain his ruling. The following dialogue took place:

> Mr. Poland: Mr. Examiner, in connection with your ruling, I had understood you to say that you would not permit the presentation of evidence such as was perhaps suggested by Mr. McGrath as evidence pertaining to specific circumstances surrounding the effect of jurisdiction over royalty owners in Louisiana.
>
> On the other hand, I did not understand your Examiner's ruling to be so broad as to rule out the presentation of general industry evidence as to the impact of an order asserting jurisdiction over royalty owners. In other words, for example, if groups here should show industry practice and how that might affect the Commission's ruling in these cases or the impact of assertions of jurisdiction over royalty payments, as to how that might affect these particular cases, I do not understand your ruling to rule out that type of evidence.
>
> Am I correct?
>
> Presiding examiner: It does. It rules out that type of evidence. (Tr. 121.)

From this ruling, LAROLA, Humble Oil & Refining Co. (Humble), and the State of Texas have appealed.

The examiner was correct in excluding evidence as to particular royalty agreements and particular circumstances other than those involving the royalty interests party to these proceedings. We think, however, that evidence relating to the general industry contracting practices with respect to gas leases should be admitted so that the Commission may be fully informed as to the general background of the problem and possible economic and legal consequences before making its determination. As specific items of evidence are presented the examiner should rule upon their admissibility in accordance with the views here expressed.

The examiner was quite correct in stating that this proceeding is not a general investigation of royalty interests other than those involved in these proceedings, and nothing in this order or in any other order issued heretofore in this proceeding should be construed to the contrary.

The Huber motions. Two motions have been made by Huber. On May 5, 1967, Huber moved to clarify the Commission order of April 3, 1967, to make it clear that Huber's complaint in Docket No. RI67-113 is consolidated in this proceeding. This was the intent of the April 3 order and, to the extent any such clarification is necessary, Huber's motion is granted. Huber further moved to amend its complaint by interlineation to correct inadvertent omission. Specifically, Huber

wishes to insert "V" between "IV" and "VI" on page 8 of its answer to the complaint in Docket No. RI67–113. There being no objection, Huber's motion is granted.

The Pan American motion to consolidate. On May 11, 1967, Pan American Petroleum Corp. (Pan American) filed its complaint against Leland C. Waechter, et al., requesting the Commission to institute a hearing to determine whether it has regulatory jurisdiction over rates at which royalty payments are to be made under Pan American Gas Rate Schedule No. 84. On the same day, Pan American moved to consolidate its proceeding with the other dockets that are the subject of this order. It appears that the same issues are presented in all these proceedings, and that no undue delay will result from granting Pan American's motion, to which there has been no opposition. Accordingly, the motion is granted. In view of the likelihood that consolidation of additional proceedings that may be instituted may delay decision in the present dockets, the Commission does not anticipate that motions for consolidation of such additional proceedings will be granted.

The Commission orders:

(A) The rulings of the presiding examiner with respect to admission of evidence to be presented in this proceeding shall be made in accordance with the foregoing.

(B) The motion of J.M. Huber Corp. for clarification of the order of April 3, 1967, in this proceeding, and its motion to amend its answer and complaint in Docket No. RI67–113, are granted.

(C) The motion of Pan American Petroleum Corp. to consolidate Docket No. RI67–400 for hearing with the other dockets that are the subject of this order is granted.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–7547; Filed, July 3, 1967; 8:46 a.m.]

[Docket Nos. CS67–35, RI60–276]

INVESTORS PETROLEUM CORP. ET AL.

Findings and Order

JUNE 26, 1967.

The Investors Petroleum Corp., et al., Docket No. CS67–35; J. Wes Johnson doing business as Tower Oil & Gas Company of Texas, Jeane Kerbs, W. A. Morel, Walter E. Heller & Co., and The Investors Petroleum Corp., et al., Docket No. RI60–276.

Findings and order after statutory hearing issuing small producer certificate of public convenience and necessity, terminating certificates, redesignating rate schedules, granting relief, and requiring proper refund assurance.

On January 11, 1967, The Investors Petroleum Corp. et al. (Applicant), filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a small producer certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the application.

Applicant seeks to have the small producer certificate cover sales of gas formerly rendered by J. Wes Johnson doing business as Tower Oil & Gas Company of Texas (Johnson) under Johnson's FPC Gas Rate Schedule Nos. 1, 5, and 7. Applicant also seeks to cover all interest owners of properties covered by the aforementioned rate schedules.

Applicant is presently making sales from the Permian Basin area and, therefore, the small producer certificate issued herein shall be effective on the date of this order.

The certificates heretofore issued in Docket Nos. G–18852, CI61–1020, and CI61–1336 will be terminated. J. Wes Johnson doing business as Tower Oil & Gas Company of Texas FPC Gas Rate Schedule Nos. 1, 5, and 7, as supplemented, will be redesignated herein as The Investors Petroleum Corp. FPC Gas Rate Schedule Nos. 1, 2, and 3, as supplemented, respectively (Supplement Nos. 1–11, 1–2, and 1–3, respectively).

Applicant has requested that it be allowed to continue to collect rates in excess of the applicable area base rate ceilings prescribed in Opinion No. 468 consistent with the Commission's order issued February 6, 1967, in Rodman and Late et al., Docket No. CS66–48 et al. For the reasons set forth in that order Applicant will be allowed to continue the collection of the 17.2295-cent rate (FPC Gas Rate Schedule No. 1) involved in Docket No. RI60–276 and the 16-cent rates (FPC Gas Rate Schedule Nos. 2 and 3) now in effect under unconditioned temporary certificates issued to Applicant's predecessor in interest. It is necessary, therefore, that Applicant's redesignated rate schedules and supplements thereto be effective as of February 4, 1964, the date of the transfer of the properties involved. It will also be necessary to make Applicant a co-respondent in Docket No. RI60–276. In this connection Applicant will be required to file appropriate refund assurance as hereinafter ordered.

The above rates will be subject to rejection as of the date of this order in the event the Permian court stay is dissolved or the moratorium provisions in Opinion Nos. 468 and 468–A are upheld ultimately upon judicial review. The collection of such rates is also subject to the refund provisions of paragraph (D) of Opinion No. 468, as well as the refund provisions of Docket No. RI60–276. Our action here is also without prejudice to whatever refunds may be required with respect to sales under Applicant's FPC Gas Rate Schedule Nos. 2 and 3 for the period between February 4, 1964, and the date of this order when the above-ceiling rates involved here were being collected under unconditioned temporary certificates, and is also without prejudice to any refunds that may be required of Johnson for the period prior to February 4, 1964.

After due notice no petition to intervene, notice of intervention, or protest to the granting of the application has been received.

At a hearing held on June 22, 1967, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Applicant is engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and is, therefore, a "natural-gas company" within the meaning of the Natural Gas Act.

(2) The sales of natural gas hereinbefore described, as more fully described in the application herein, will be made in interstate commerce subject to the jurisdiction of the Commission, and such sales by Applicant, together with the construction and operation of any facilities will be subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) Applicant is an independent producer of natural gas who is not affiliated with natural gas pipeline companies and whose total jurisdictional sales on a nationwide basis, together with sales of affiliated producers, was not in excess of 10,000,000 Mcf of natural gas at 14.65 p.s.i.a. during the preceding calendar year.

(5) The sales of natural gas by Applicant, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity, and a small producer certificate of public convenience and necessity therefor should be issued as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued in Docket Nos. G–18852, CI61–1020, and CI61–1336 be terminated.

The Commission orders:

(A) A small producer certificate of public convenience and necessity is issued upon the terms and conditions of this order authorizing the sale for resale and the delivery of natural gas in interstate commerce by Applicant from the Permian Basin area of Texas and New Mexico, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as more fully described in the application in this proceeding.

(B) The certificate granted in paragraph (A) above is not transferable and shall be effective only so long as Applicant continues the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission and particularly,

(a) The subject certificate shall be applicable only to all present and future "small producer sales," as defined in § 157.40(a)(3) of the regulations under the Natural Gas Act, from the Permian Basin area;

(b) Except where otherwise authorized in this order, sales made under this small producer certificate shall not be at rates in excess of those set forth in § 157.40(b)(1) of the regulations under the Natural Gas Act; however, Applicant may file notices of changes in rate for any contractually authorized rates in excess of the ceiling rates, which increased rates shall be subject to suspension pursuant to section 4(e) of the Natural Gas Act and subsequently may be rejected as of the date of filing, as provided by the order granting relief issued February 6, 1967, in Docket No. CS66-48 et al.;

(c) Applicant shall file annual statements pursuant to § 154.104 of the regulations under the Natural Gas Act.

(C) The certificate granted in paragraph (A) above shall remain in effect for small producer sales until the Commission on its own motion or on application terminates said certificate because Applicant no longer qualifies as a small producer or fails to comply with the requirements of the Natural Gas Act, the regulations thereunder, or the terms of the certificate. Upon such termination Applicant will be required to file separate certificate applications and individual rate schedules for future sales. To the extent compliance with the terms of this order is observed, the small producer certificate will still be effective as to those sales already included thereunder.

(D) The grant of the certificate issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 7 of the Natural Gas Act or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against Applicant. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificate aforesaid for service to the particular customer involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificate aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales subject to said certificate.

(E) The certificate issued herein shall be effective on the date of this order.

(F) The certificates heretofore issued in Docket Nos. G-18852, CI61-1020, and CI61-1336 are terminated.

(G) J. Wes Johnson doing business as Tower Oil & Gas Company of Texas FPC Gas Rate Schedule Nos. 1, 5, and 7, as supplemented are redesignated as The Investors Petroleum Corp. FPC Gas Rate Schedule Nos. 1, 2, and 3, as supplemented, respectively, and such rate schedules together with Supplement Nos. 1 through 11, 1 and 2, and 1 through 3 thereto, respectively, are accepted for filing effective as of February 4, 1964, subject to the provisions of paragraphs (H), (I), (J), and (K) hereof.

(H) Applicant is hereby made a corespondent in Docket No. RI60-276 and may charge and collect, subject to refund, the 17.2295-cent rate involved in Docket No. RI60-276 for sales under its FPC Gas Rate Schedule No. 1 effective as of February 4, 1964, if within 30 days of the issuance of this order it files in the attached form as refund assurance either a satisfactory agreement and undertaking, together with appropriate data evidencing its financial responsibility, or a satisfactory surety bond in the amount of $1,400. In the event a surety bond is filed, it shall be accompanied by a certificate to the effect that no other obligation has been assumed in connection with the bond in addition to the payment of the bond premium. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of filing, the refund assurance filed herein shall be deemed to be satisfactory and to have been accepted for filing. The refund assurance filed herein shall remain in full force and effect until discharged by the Commission. Applicant shall comply with the refunding and reporting procedures required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(I) Investors may continue to charge and collect the 16-cent rates for sales of gas made under its FPC Gas Rate Schedule Nos. 2 and 3, as supplemented.

(J) The rates set forth in paragraphs (H) and (I) above are subject to rejection as of the date of the issuance of this order in the event the Permian court stay is dissolved or the moratorium provisions in Opinion Nos. 468 and 468-A are upheld ultimately upon judicial review. The collection of such rates is also subject to the refund provisions of paragraph (D) of Opinion 468 as well as the refund provisions of Docket No. RI60-276.

(K) The action taken herein is without prejudice to whatever refunds may be required with respect to sales made under unconditioned temporary certificates between February 4, 1964, and the date of this order under Applicant's FPC Gas Rate Schedule Nos. 2 and 3 at rates in excess of the rates authorized under the small producer certificate issued herein and is also without prejudice to any refunds that may be required of Johnson for the period prior to February 4, 1964, with respect to these sales either in Docket No. RI60-276 or under the unconditioned temporary certificates.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-7548; Filed, July 3, 1967; 8:46 a.m.]

[Docket No. CP67-375]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

JUNE 26, 1967.

Take notice that on June 15, 1967, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in Docket No. CP67-375 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of additional volumes of natural gas in interstate commerce to existing customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to sell and deliver additional daily quantities of natural gas aggregating 67,382 Mcf to 13 existing customers commencing in the fall of 1967. The customers and their additional requirements are as follows:

	Additional quantity of natural gas (Mcf)
CD-1 customers:	
Associated Natural Gas Co.	302
Commonwealth Edison Co.	6,000
Interstate Power Co.	2,208
Iowa Electric Light & Power Co.	1,000
Iowa-Illinois Gas and Electric Co.	15,893
Iowa Power & Light Co.	601
Iowa Southern Utilities Co.	700
Northern Illinois Gas Co.	40,000
Sullivan, Ill., city of	100
Total CD-1 customers	66,804
G-1 customers:	
Central Illinois Public Service Co.	127
Kaskaskia Gas Co.	129
Missouri Utilities Co.	222
Monarch Gas Co.	100
Total G-1 customers	578
Total CD-1 customers	66,804
Total	67,382

Applicant states that no additional facilities will be required to effectuate the proposed sale and delivery of the additional quantities of natural gas.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 20, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without

further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-7549; Filed, July 3, 1967; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

ANNAPOLIS BANKING AND TRUST CO.

Order Denying Exemption

In the matter of the application of the Annapolis Banking and Trust Co. for exemption from the registration requirements of the Securities Exchange Act of 1934.

There has come before the Board of Governors, pursuant to section 12(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*), an application by The Annapolis Banking and Trust Company, Annapolis, Maryland ("bank"), a member State bank of the Federal Reserve System, for exemption from the registration requirements of section 12(g) of said Act. The bank had previously been granted a temporary exemption from registration until June 30, 1967.

Public notice of receipt of the application and opportunity to request a hearing has been given by the Board and no such request has been received.

From the information set forth in the application or otherwise available, the Board finds that:

(1) The bank has assets of $22.7 million and equity capital of $2.2 million;

(2) The bank has outstanding 60,000 shares of stock, owned by 1,580 shareholders; many of such shareholders received their shares in lieu of deposits when the bank reopened after the 1933 Bank Holiday;

(3) Although there is at present a limited amount of trading activity in the bank's stock and absence of any regular market, a sufficient investor interest exists to merit the protection of the registration and reporting requirements of the Act; and

(4) Compliance with the registration and reporting requirements of the Act would not impose an undue hardship on the bank or its personnel.

Upon consideration of all the circumstances, the Board concludes that the granting of the requested exemption would not be consistent with the public interest and the protection of investors.

It is hereby ordered, that the application of the Annapolis Banking and Trust Co. for exemption from the registration requirements of section 12(g) of the Securities Exchange Act of 1934 be, and is hereby, denied.

Dated at Washington, D.C., this 23d day of June 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-7553; Filed, July 3, 1967; 8:46 a.m.]

PEOPLES BANK OF GLEN ROCK

Order Granting Temporary Exemption

In the matter of the application of Peoples Bank of Glen Rock for exemption from the registration requirements of the Securities Exchange Act of 1934.

There has come before the Board of Governors, pursuant to section 12(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*) an application by Peoples Bank of Glen Rock, Glen Rock, Pa. ("bank"), a member State bank of the Federal Reserve System, for exemption from the registration requirements of section 12(g) of said Act.

Public notice of receipt of the application and opportunity to request a hearing has been given by the Board and no such request has been received.

From the information set forth in the application or otherwise available, the Board finds that:

(1) The bank has assets of $12.8 million and equity capital of $845,000;

(2) The bank has outstanding 20,000 shares of stock, owned by 570 shareholders;

(3) There is a limited amount of trading activity in the bank's stock but no regular market; and

(4) Compliance, at this time, with the registration and reporting requirements of the Act would impose an undue hardship on the bank and its personnel.

Upon consideration of all the circumstances, the Board concludes that the granting of a temporary exemption until April 30, 1968, would not be inconsistent with the public interest or the protection of investors.

It is hereby ordered, That Peoples Bank of Glen Rock be, and it hereby is, exempted from the registration requirements of section 12(g) of the Securities Exchange Act of 1934 until April 30, 1968.

Dated at Washington, D.C. this 23d day of June 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-7554; Filed, July 3, 1967; 8:46 a.m.]

SEATTLE TRUST AND SAVINGS BANK

Order Approving Merger of Banks

In the matter of the application of Seattle Trust and Savings Bank for approval of merger with Olympia State Bank and Trust Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Seattle Trust and Savings Bank, Seattle, Wash., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and Olympia State Bank and Trust Co., Olympia, Wash., under the charter and title of Seattle Trust and Savings Bank. As an incident to the merger, the three offices of Olympia State Bank and Trust Co. would become branches of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corp., and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) before the 30th calendar day following the date of this Order or (b) later than 3 months after the date of this Order.

Dated at Washington, D.C., this 26th day of June 1967.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-7555; Filed, July 3, 1967; 8:46 a.m.]

SOUTHERN ARIZONA BANK AND TRUST CO.

Order Denying Exemption

In the matter of the application of Southern Arizona Bank and Trust Co. for exemption from the registration requirements of the Securities Exchange Act of 1934.

There has come before the Board of Governors, pursuant to section 12(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*), an application by Southern Arizona Bank and Trust Co., Tucson, Ariz. ("bank"), a member State bank of the Federal Reserve System, for exemption from the registration requirements of section 12(g) of said Act.

Public notice of receipt of the application and opportunity to request a hearing has been given by the Board and no such request has been received.

From the information set forth in the application or otherwise available, the Board finds that:

(1) The bank has assets of $193 million and equity capital of $12.7 million;

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of San Francisco.

[2] Voting for this action: Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sherrill. Absent and not voting: Chairman Martin.

(2) The bank has outstanding 440,000 shares of stock, owned by 520 shareholders;

(3) 90 per cent of the bank's stock is owned by Western Bancorporation, a bank holding company registered under the Bank Holding Company Act of 1956;

(4) Although there is at present a limited amount of trading activity in the bank's stock and absence of any regular market, a sufficient investor interest exists to merit the protection of the registration and reporting requirements of the Act; and

(5) Compliance with the registration and reporting requirements of the Act would not impose an undue hardship on the bank or its personnel.

Upon consideration of all the circumstances, the Board concludes that the granting of the requested exemption would be inconsistent with the public interest and the protection of investors.

It is hereby ordered, That the application of Southern Arizona Bank and Trust Co. for exemption from the registration requirements of section 12(g) of the Securities Exchange Act of 1934 be, and is hereby, denied.

Dated at Washington, D.C. this 23d day of June 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 67-7556; Filed, July 3, 1967; 8:46 a.m.]

LIBRARY OF CONGRESS

STATEMENT OF ORGANIZATION

The following statement is issued in the interest of better informing members of the public concerning the organization and functions of the Library of Congress.

Sec.
1 The Librarian of Congress.
2 Office of the Librarian.
3 The Administrative Department.
4 The Copyright Office.
5 The Law Library.
6 The Legislative Reference Service.
7 The Processing Department.
8 The Reference Department.
9 Honorary Consultants.
10 Use of the Library for reference.
11 Extension of service.

SECTION 1. *The Librarian of Congress.* The Librarian of Congress is the principal administrative officer of the Library with authority and responsibility for making rules and regulations for the government of the Library (see 2 U.S.C. 136). The Librarian's immediate staff consists of the Deputy Librarian of Congress, the Assistant Librarian, and six department heads: the Director of the Administrative Department, the Register of Copyrights, the Law Librarian, the Director of the Legislative Reference Service, the Director of the Processing Department, and the Director of the Reference Department.

SEC. 2. *Office of the Librarian.* Those offices which are an integral part of the Office of the Librarian are the following: The Chief Internal Auditor, the Information Systems Office, the Office of the Coordinator of Building Planning, the Personnel Office, the Exhibits Office, the Information Office, the Publications Office, and the Administrative Office for the Permanent Committee for the Oliver Wendell Holmes Devise.

SEC. 3. *The Administrative Department.* Under the supervision of a Director, the Department is comprised of the following divisions: Buildings and Grounds Division, Guard Division, Office of Protective Services, Preservation Office, Office of the Secretary of the Library, Photoduplication Service, and the Office of Fiscal Services.

SEC. 4. *The Copyright Office.* Under the administrative direction of the Register of Copyrights, the Copyright Office is established pursuant to Title 17, United States Code section 201 et seq. and the organization and functions of this Office are found therein (see also Title 37, Code of Federal Regulations Chapter II for procedures). In addition to the Office of the Register, the Copyright Office has a Cataloging Division Examining Division, Reference Division, and Service Division.

SEC. 5. *The Law Library.* The Law Library is charged with responsibility for the development and service of the law collections of the Library of Congress. Administrative responsibility rests in the Law Librarian, who also serves as the General Counsel for the Library of Congress. The Law Library is comprised of the American-British Law Division, the European Law Division, the Far Eastern Law Division, the Near Eastern and African Law Division, and the Hispanic Law Division.

SEC. 6. *The Legislative Reference Service.* Administered by a Director, the Legislative Reference Service is a separate department of the Library, specifically authorized by the Legislative Reorganization Act of 1946, Title II, Section 203 (see 2 U.S.C. 166). The Service gathers, analyzes, and makes available to the Congress or to Committees or individual Members thereof, data for or bearing on legislation. Congressional requests are assigned through the Office of the Director to: the American Law Division, the Economics Division, the Education and Public Welfare Division, the Foreign Affairs Division, the Government and General Research Division, the Library Services Division, the Natural Resources Division, the Science Policy Research Division, or the Senior Specialists Division. The Legislative Reference Service does not provide assistance or reference service directly to the public.

SEC. 7. *The Processing Department.* Under the administration of a Director, the Processing Department is responsible for (a) receipt and review of all recommendations for additions to the Library's permanent collections, (b) the acquisition and selection of materials for the Library's collections and the acquisition abroad of certain materials for American research libraries under Public Law 480, as amended (see 7 U.S.C. 1691 et seq.), (c) development and publication of bibliographic controls for use by the Library of Congress and other libraries, (d) the preparation of materials for addition to the collections, (e) provision of a reference service to locate materials in process and to answer inquiries relating to cataloging, classification, and other matters, and (f) cooperation with other agencies, other libraries, or library organizations in carrying out special projects and activities. Within the Office of the Director are the following sections: Children's Literature Cataloging Office, Cyrillic Bibliographic Project, National Union Catalog Publication Project, Office of Cataloging Instruction, Office of the Coordinator of Overseas Programs, Selection Office, and Technical Processes Research Office. The Processing Department, in addition to the Office of the Director, consists of the following: the Binding Division, the Card Division, the Catalog Maintenance and Catalog Publication Division, the Descriptive Cataloging Division, the Decimal Classification Office, the Exchange and Gift Division, the Order Division, the Serial Record Division, the Shared Cataloging Division, the Subject Cataloging Division, and the Union Catalog Division.

SEC. 8. *The Reference Department.* Administered by a Director, the Reference Department is responsible for (a) recommending materials to be acquired for the Library's collections, (b) custody of all materials (exclusive of legal materials in the custody of the Law Library and special collections assigned to the Copyright Office and the Photoduplication Service), (c) circulating materials to readers in the general and special reading rooms (except for the Congressional Reading Room and the Law Library) and in study rooms, and for lending certain materials for Government use or for interlibrary loan, (d) reference service in person, by telephone, and through correspondence on materials in its custody (see 44 CFR 501.7), (e) preparing and publishing bibliographic guides and providing special abstracting and bibliographical services, and (f) planning and administering special projects and activities for or in cooperation with other Government agencies. Within the Reference Department are the following: the Aerospace Technology Division, the Defense Research Division, the Division for the Blind and Physically Handicapped, the General Reference and Bibliography Division, the Geography and Map Division, the Hispanic Foundation, the Loan Division, the Manuscript Division, the Music Division, the National Referral Center for Science and Technology, the Orientalia Division, the Prints and Photographs Division, the Rare Book Division, the Science and Technology Division, the Serial Division, the Slavic and Central European Division, and the Stack and Reader Division.

SEC. 9. *Honorary Consultants.* The Library has the services of a group of specialists ("consultants" and "honorary consultants") whose association with the Library is either voluntary or is made possible by gifts from nongovernmental sources and who are without administra-

tive responsibility. The specialists assist the Library in the systematic development of the collections, furnish expert counsel in specialized fields of knowledge, and serve as liaison between the Library and investigators pursuing intensive research. For the latter, special facilities are provided both in the Main Building and in the Library Annex.

SEC. 10. *Use of the Library for reference.* For the purposes of reference, the use of the Library is free to adults. Credentials are required for the use of certain materials. Although some reference work is carried on by correspondence, priority must be given to service to the Congress and the other branches of the Federal Government. The Library is therefore compelled to decline many correspondents' requests and to suggest that libraries within the correspondents' reach can provide satisfactory assistance. The Library gives priority to inquiries pertaining to its holdings of special materials or to subjects in which its resources are unique.

SEC. 11. *Extension of service.* The Library extends its service through (a) an interlibrary loan system (see 44 CFR 501.9); (b) the photoduplication, at reasonable cost (and subject to conditions of law, copyright, and deposit) of books, manuscripts, maps, newspapers, and prints in its collections, and the sale of sound recordings, which are released by its Recording Laboratory (see 44 CFR 501.12, 501.19); (c) the exchange of duplicates with other institutions; (d) the sale of printed catalog cards and the publication in book form of cumulative catalogs, which make available the results of the expert bibliographical and cataloging work of its technical personnel (see 44 CFR 501.27); (e) a cooperative cataloging and classification service which, working in conjunction with other libraries, assists in the preparation of catalog entries for books not in the Library of Congress and in the preparation of analytical entries for the serial publications of learned societies and institutions (see 44 CFR 501.28); (f) the development of a scientific scheme of classification and cataloging embracing the entire field of printed matter; (g) the preparation of bibliographical lists responsive to the needs of Government and research; (h) the maintenance of a National Union Catalog and the publication of "The National Union Catalog," a record of books acquired by American libraries since 1956; (i) the publication of catalogs, bibliographical guides and lists, and of texts or original manuscripts and rare books in the Library of Congress (see 44 CFR 501.28); and (j) the provision of books in raised type, on "talking book" records, and on magnetic tape, for the blind and physically handicapped.

[SEAL] PAUL L. BERRY,
Acting Librarian.

JUNE 28, 1967.

[F.R. Doc. 67-7603; Filed, July 3, 1967; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2067]

INVESTORS DIVERSIFIED SERVICES, INC., ET AL.

Notice of Application Approving Exchange of Shares Between Funds

JUNE 28, 1967.

Notice is hereby given that Investors Diversified Services, Inc. ("IDS"), Investors Variable Payment Fund, Inc. ("Variable"), and Investors Selective Fund, Inc. ("Selective"), Investors Building, Minneapolis, Minnesota 55402, have jointly filed an application pursuant to section 11(a) of the Investment Company Act of 1940 ("Act"), for an order approving a proposed offer of exchange involving the transfer of shares of Variable and Selective on the basis described below.

IDS, a face-amount certificate company registered under the Act, and a broker-dealer registered under the Securities Exchange Act of 1934 is the investment adviser and sole distributor of the shares of Variable, Selective, Investors Mutual, Inc. ("Mutual"), and Investors Stock Fund, Inc. ("Stock Fund"), each of which is an open-end, diversified, management investment company registered under the Act. They are referred to collectively herein as "the Investors Group." All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

Shares in Selective are offered to the public at their net asset value plus a maximum sales charge of 7 percent of the public offering price, whereas the shares of Variable, Mutual and Stock Fund are offered to the public at net asset value plus a maximum sales charge of 8 percent of their respective public offering prices.

Shareholders of each of the Funds in the Investors Group, except Selective, are accorded the privilege of converting shares of one Fund into shares of any of the other Funds in the Investors group at any time at their respective net asset values without paying any additional sales charge. This privilege is available to shareholders of Selective only after they have held their shares for 5 months. The 5-month restriction was intended to prevent persons from purchasing the shares of Selective and immediately converting them into shares of the other Funds in the Investors Group in order to obtain the advantage of the lower sales charge on the shares of Selective.

In 1954, the Commission issued an order permitting shareholders of Selective to exchange their shares for the shares of Stock Fund or Mutual within five months after the date of acquisition upon the payment to IDS of an amount equal to the difference between the sales charge paid on the purchase of the Selective shares and the charge that would have been paid if the shares of Stock Fund or Mutual had been purchased initially rather than shares of Selective (Investment Company Act Release No. 1997).

Applicants now propose to extend to the shareholders of Selective the privilege of exchanging their shares for the shares of Variable within five months of the date of the purchase of the shares of Selective, on condition that the transferor pay to IDS an amount equal to the difference between the actual sales charge paid on the shares of Selective sought to be exchanged and the sales charge that would have been paid had Variable shares been purchased initially.

The application states that this would put the privilege of transferring investments between the funds in the Investors Group on a uniform basis giving due consideration, in respect to transfers made within five months, to the lower sales charge applicable to purchases of Selective. It further states that such privilege would permit shareholders of Selective to change their investment from one fund to the other as their personal investment objectives change or as tax, economic or market conditions, in their opinion, make it more advantageous for them to have their investments in one fund rather than another. It declares that to avoid any possible incentive on the part of salesmen to switch Selective shareholders into Variable, applicants propose that the additional sales charge be paid to IDS and no portion of it be paid or credited to any salesman.

Section 11(a) of the Act states in pertinent part, that it shall be unlawful for any registered open-end company or any principal underwriter for such a company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission.

Notice is further given that any interested person may, not later than July 19, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the

rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-7569; Filed, July 3, 1967; 8:47 a.m.]

[File No. 1-464]

JADE OIL & GAS CO.

Order Suspending Trading

JUNE 28, 1967.

The 50-cent par value common stock and the 6½ percent Convertible Subordinated Debentures due January 1, 1979, with or without warrants attached, listed and registered on the Pacific Coast Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Jade Oil & Gas Company, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the Pacific Coast Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 29, 1967 through July 8, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-7570; Filed, July 3, 1967; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 623]

KANSAS

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June 1967, because of the effects of certain disasters, damage resulted to residences and business property located in Garden City, in the State of Kansas;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Associate Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid Garden City and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about June 23, 1967.

OFFICE

Small Business Administration Regional Office, 120 South Market Street, Wichita, Kans. 67202.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1967.

Dated: June 26, 1967.

LOGAN B. HENDRICKS, *Associate Administrator.*

[F.R. Doc. 67-7571; Filed, July 3, 1967; 8:47 a.m.]

VETERANS ADMINISTRATION

Statement of Organization

Sec.
1. General.
2. Central Office.
3. Field stations.
4. Addresses of VA installations and Central Office and jurisdictional areas of insurance centers.

SECTION 1 *General*—(a) *Authority and functions.* (1) The VA (Veterans Administration) administers laws authorizing benefits principally for former members and dependents of deceased former members of the Armed Forces. The VA also administers certain limited benefits authorized by law to individuals currently on active duty and to dependent children of seriously disabled veterans. VA benefits include: Compensation for service-connected disability or death; pension for non-service-connected disability or death; dependency and indemnity compensation; vocational rehabilitation for service-connected disability; educational assistance for those who serve after January 31, 1955; war orphans' educational assistance; guaranty or insurance of home, farm, and business loans, and, under certain conditions, direct home loans; six life insurance programs for veterans and servicemen; hospitalization; restorative care; domiciliary care, nursing home care; outpatient medical and dental care; prosthetic and other appliances; special housing for certain seriously disabled veterans; automobiles or other conveyances for certain disabled veterans; World War I adjusted service certificates; a guardianship program for the protection of estates derived from VA benefits paid to incompetent or minor beneficiaries; burial allowances; and burial flags. In addition the VA administers the insurance section of the Soldiers' and Sailors' Civil Relief Act for persons in the active military service.

(2) The Veterans Administration was established as an independent agency under the President by Executive Order 5398, of July 21, 1930, in accordance with the act of July 3, 1930 (46 Stat. 1016). This act authorized the President to consolidate and coordinate Federal agencies especially created for or concerned in the administration of laws providing benefits for veterans.

(b) *General description of organization.* (1) The Veterans Administration is under the charge of the Administrator of Veterans Affairs, who is responsible for the administration of all laws governing the Veterans Administration.

(2) The Veterans Administration is organizationally divided as follows: (i) *The Central Office.* The Central Office of the Veterans Administration consists of the following staff offices and departments:

STAFF OFFICES

Information Service.
Office of the Controller.
Office of the General Counsel.
Office of Management Engineering and Evaluation.
Investigation and Security Service.
Office of Construction.
Office of Personnel.
Office of Administrative Services.

DEPARTMENTS

Department of Medicine and Surgery.
Department of Veterans Benefits.
Department of Data Management.

(ii) *The Field Stations.* This term applies to Veterans Administration installations located in the field, and includes the following:

Insurance centers.
Regional offices.
Veterans Benefits Office—District of Columbia.
Hospitals.
VA centers.
Domiciliaries.
Restoration centers.
Outpatient clinics.
VA offices.
Supply depots.
Marketing center.
Forms and publications depot.
Data processing centers.
VA Office, Rome, Italy.

SEC. 2 *Central Office*—(a) *Office of the Administrator.*—(1) *The Administrator.* The Administrator is responsible to the President for the administration of veterans' affairs and the laws which govern them. In him is vested the authority to operate VA. He is directly responsible for the establishment of the basic policies governing agency operation; the development and maintenance of its basic organization structure; the interpretation of laws pertaining to veterans' affairs, and the establishment of supplementary regulations; the stimulation and approval of long-range plans; and the development and maintenance of favorable relations with important organizations, groups, and individuals interested in

veterans' affairs. As head of an independent agency of the executive branch of the Government, the Administrator is the adviser to the President on veterans' affairs.

(2) *The Deputy Administrator.* The Deputy Administrator is the principal assistant to the Administrator in the overall administration of the VA. He takes independent action for the Administrator on all problems affecting the VA which do not require the Administrator's personal attention and acts for the Administrator in the latter's absence.

(3) *Associate Deputy Administrator.* (i) The Associate Deputy Administrator assists the Administrator and the Deputy Administrator in the overall administration of the VA. He takes independent action for the Administrator on all problems affecting the VA in the areas of management engineering, appraisals, audits, office methods and administration, budget, finance, reports and statistics, safety and fire protection, and construction, which do not require the personal attention of the Administrator or the Deputy Administrator. He is responsible for coordination of the entire VA construction function and for all relations external to the agency dealing with construction. Under the VA's Planning-Programing-Budgeting system he is responsible for reviewing and presenting to the Administrator the recommended agency Program and Financial Plans with primary concern for (*a*) the fiscal and budgetary aspects of the total plan, and (*b*) programing and budgeting for VA's support functions. He acts for the Deputy Administrator in the latter's absence and for the Administrator in the absence of both the Administrator and the Deputy Administrator.

(ii) The Assistant Administrator for Management Engineering and Evaluation, Construction, the VA-Controller, and the Manager, Administrative Services, report to the Administrator and the Deputy Administrator through the Associate Deputy Administrator.

(4) *Assistant Deputy Administrator.* (i) The Assistant Deputy Administrator, as full assistant to the Administrator and the Deputy Administrator, participates in high-level policy discussions and contributes recommendations regarding solutions of problems and decisions to be made on all programs administered by VA. As directed, he represents the Administrator with the Congress, other Federal agencies, and the Bureau of the Budget. He also acts for the Associate Deputy Administrator in the latter's absence and for the Deputy Administrator in the absence of both the Deputy Administrator and the Associate Deputy Administrator.

(ii) The Assistant Deputy Administrator makes independent recommendations to the Administrator as to areas which should receive priority in substantive research, and recommends approval, disapproval or revision of plans submitted by the department heads and staff offices. He is the Administrator's top planning officer and coordinator of research and development programs.

(iii) The Assistant Deputy Administrator is designated as the principal VA official responsible for the development of the Planning-Programing-Budgeting system for the agency. He is also responsible for reviewing and presenting to the Administrator in conjunction with the Associate Deputy Administrator's presentation, the broad planning aspects, including alternatives considered, of the agency program and financial plan.

(iv) The Assistant Deputy Administrator is responsible for the VA's emergency planning function, and as such he

(*a*) Formulates and recommends to the Administrator general policies, plans and procedures of VA-wide application pertaining to emergency planning.

(*b*) Coordinates the development of agency national emergency plans and preparedness programs, the implementation of national civil defense plans, and the disaster relief program.

(*c*) Provides for continuous manning and operational capability of VA's emergency relocation sites; responsible for the implementation of plans for the relocation of emergency designees under conditions of national emergency.

(5) *Special Assistant.* The Special Assistant serves as confidential and special assistant and adviser to the Administrator on policies, programs, and activities with primary emphasis on VA legislative matters and relationships. He is the personal representative of the Administrator and top level liaison official of the agency with Congress, the Executive Office of the President, and other Federal and non-Federal agencies, organizations, and individuals. The Special Assistant has overall responsibility for the operation of the Congressional Liaison Service. This service, under a Director, (i) furnishes assistance and advice, with respect to benefits provided under laws administered by the VA, to Members of Congress and their secretarial staffs, and to veterans and their dependents and beneficiaries referred by Members of Congress; and promoting the prompt and efficient processing and adjudication of claims brought to its attention; and (ii) maintains liaison at the Capitol and at the Senate and House Office Buildings to keep the Administrator and his principal assistants informed of matters of importance to the VA.

(6) *Office of the Executive Assistant.* This office, under the direction of the Executive Assistant to the Administrator, is the central coordinating staff for the Office of the Administrator. The Executive Assistant presents to the Administrator those matters requiring his personal attention. The office monitors special projects and assignments and insures that required action is controlled and coordinated. It is the responsibility of the office to do for the Administrator and his Deputies what they would do for themselves in their official capacity if they had the time. The office acts as the point of contact for operating matters coming to the Office of the Administrator and is responsible for the last line of review before an action is taken or a decision is made in the operations of the agency. In this capacity the office (i) represents the Administrator, Deputy Administrator, Associate Deputy Administrator and Assistant Deputy Administrator in making inquiry into operating matters of interest; (ii) evaluates proposals for changes in operating policies and recommends to the above officials approval, disapproval, further study, or other appropriate action; (iii) coordinates proposals with departments and staff offices to assure their presentation for decision is in the form desired; and (iv) follows up to assure that decisions once made are implemented. The office discharges for the Administrator all matterms of administrative nature within the Administrator's Office.

(7) *Contract Appeals Board.* The Contract Appeals Board is an integral part of the Office of the Administrator. Under the chairman, this board, by delegation of authority from the Administrator, acts as his authorized representative:

(i) To ascertain the facts and circumstances attending appeals by contractors from decisions of VA contracting officers under VA contracts.

(ii) To render final decisions on such appeals in accordance with contract provisions.

(8) *Administrator's Advisory Council.* (i) The Administrator's Advisory Council, under a Chairman, advises the Administrator on policies, plans, research programs, and organization. It evaluates major established VA programs, from a management point of view, to determine whether they are meetng their objectives.

(ii) The Council is concerned with such matters as how veterans compare with nonveterans; what are the handicaps and needs of veterans in various categories; what new programs are advisable; what changes to established programs should be made; and what the long-range impact of both existing and proposed programs is upon the social and economic welfare of the veteran population as a whole.

(iii) Specifically as concerns the VA's Planning-Programming-Budgeting system, primary staff support in broad areas of planing is provided by the Administrator's Advisory Council. It is the responsibility of this body to carry on continuing studies of the environment in which the VA functions; to furnish the Administrator information concerning the desirability or feasibility of alternative policies and objectives; and to give him advice in the broad planning areas under the Planning-Programming-Budgeting system. Included among the Council's responsibilities in connection with the VA's Planning-Programming-Budgeting system are the following:

(*a*) Formulating and recommending to the Administrator, through the Assistant Deputy Administrator, VA-wide policies and procedures for establishing and advancing the Planning-Programming-Budgeting system in the agency;

(*b*) Directing and coordinating throughout the agency the program of special studies required by the Planning-Programming-Budgeting system; con-

ducting or participating in the conduct of individual studies, in collaboration, where indicated, with other VA elements and other Federal organizations; and

(c) Reviewing and analyzing special studies, program memorandums, and other Planning-Programming-Budgeting submissions from the departments and staff offices.

(d) Advising the Administrator, department heads and top staff officials on the above matters. Appraising for the Administrator the effectiveness and economy of these activities.

(e) Providing necessary intra- and extra-agency liaison services in connection with the above activities.

(9) *Board of Veterans Appeals.* The Board of Veterans Appeals, under a Chairman and Vice Chairman, has statutory jurisdiction to decide appeals to the Administrator for benefits under all laws administered by the Veterans Administration (38 U.S.C. 4001–4009; 38 CFR 19.1–19.3). Appellate proceedings are governed by Rules of Practice published in 38 CFR 19.101–19.156. Decisions are final, except as to issues on insurance contracts which are subject to action in the Federal district courts.

(b) *Staff offices*—(1) *Information Service.* The Director:

(i) Formulates and recommends to the Administrator basic policies governing VA public information programs.

(ii) Counsels and advises the Administrator and other levels of management where public interest is involved in the determination of VA policy.

(iii) Reviews and coordinates programs for informing the public of VA's activities in areas of special interest to operating departments.

(iv) Keeps informed of and appraises for the Administrator the results of public information programs.

(v) Develops and maintains relationships with national information outlets and contacts.

(vi) Obtains, assembles, prepares, and coordinates information for release through press, radio, and other media to advise veterans and dependents on benefits administered by the VA to provide information concerning the offices where applications for benefits may be made.

(vii) Obtains, assembles, prepares, and coordinates information for release through press, radio, and other media concerning operations of the VA.

(viii) Reviews for possible policy conflicts and renders technical advice on the preparation of speeches, articles, pamphlets, posters, transcriptions, films, and other material for public distribution.

(2) *Office of the Controller.* The Controller: (i) Formulates and recommends policies, plans, and procedures for agencywide application in the following controllership areas:

(a) Budget.

(b) Finance.

(c) Reports and Statistics.

(ii) Within the framework of subdivision (i), operates for the VA the finance program and serves the staff offices and department heads relating to all finance matters.

(iii) Within the framework of subdivision (i), operates a centralized reports and statistics service for the VA and serves staff offices and department heads on matters relating to these activities.

(iv) Reviews, evaluates and coordinates the VA construction program.

(v) Advises the Administrator and department heads on fiscal status, progress and problems currently existent or potentially imminent in and between VA programs, and makes recommendations for needed adjustments in funding, policies and existing operational financial plans, in keeping with overall VA objectives and funding availability.

(vi) Maintains overall agency financial accounts; controls the allocation, apportionment, and intra-agency transfer and adjustment of funds; and controls agency funding transactions with the Department of the Treasury, including the evaluation of antideficiency violations and the reporting actions required thereon to the President and to the Congress.

(vii) Conducts surveys, financial audits and reviews, and prepares analyses of recommendations on financial management problems in current and long-range plans, agencywide.

(viii) Formulates and recommends standards, policies and plans pertaining to the operation of the VA integrated reporting system and the control of the creation of reports, including periodic review of data requirements. Provides for the consolidation and submission of consolidated, agencywide, fiscal funding and other resource reports, estimates, and requests, pertinent to the controllership activities of the department and staff offices as required by the Administrator, by other governmental agencies, congressional committees, Members of Congress, and other authorized individuals.

(ix) Collaborates with the General Counsel on the financial and budgetary aspects of proposed or pending legislation for VA, and recommends to the Administrator legislation required to improve controllership functions.

(x) Interprets for the Administrator and staff office heads, in fiscal terms, the laws and regulatory measures of other governmental bodies which have a direct bearing on VA controllership activities.

(xi) Serves as the principal representative of the VA with other governmental agencies and offices and the Congress on controllership matters, and in the coordination of VA controller activities and programs with all authorized external agencies.

(xii) Provides for staff support in the methodology of statistical research, the conduct of and collaboration in statistical research studies of the effectiveness of substantive programs, and the development of official veteran population estimates and socioeconomic data on veterans, their dependents and survivors for use in current and long-range program planning.

(3) *Office of the General Counsel.* The General Counsel:

(i) Serves as chief officer of the VA in all matters of law and legislation.

(ii) As the chief law officer of the VA, is responsible to the Administrator for the interpretation of all laws administered by or pertaining to the VA, and for establishing precedents thereon through Administrator's decisions, binding upon all officers and employees of the VA and upon all claimants and other persons concerned.

(iii) Renders legal advice (formal and informal) and other legal services upon request to all department heads and top staff officers. Is the attorney for the Administrator in all civil actions in State courts and in independent actions in the Federal courts, and represents the Administrator in all actions in the Federal courts in cooperation with the Department of Justice, and keeps all interested VA officials informed. Makes final disposition of tort claims within the limitations of the Federal Tort Claims Act, and renders cooperative assistance to the Department of Justice on all actions arising therefrom involving the VA or any official thereof.

(iv) Cooperates informally with all department heads and top staff officers in the formulation of governing regulations and amendments thereto and reviews for legal correctness all such regulations or directives.

(v) Serves as the point of contact with all governmental offices on legal and legislative matters, including, in addition to the Department of Justice, the Office of the Comptroller General, and the Judge Advocate General of the Armed Forces. Reports to the Department of Justice all matters arising in the VA involving probable violation of Federal penal statutes and cooperates with the Department of Justice as requested in the disposition thereof.

(vi) Supervises and coordinates all matters pertaining to proposed legislation, Executive orders, and proclamations affecting the VA, including the preparation of proposed legislation, Executive orders, and proclamations, and the preparation of all reports concerning such matters to committees of Congress, the President, the Bureau of the Budget, and other executive agencies.

(vii) Develops and coordinates VA policy pertaining to proposed legislation, Executive orders, and proclamations; and records such policy upon approval by the Administrator.

(viii) Represents the Administrator in congressional committee and other hearings and in interdepartmental conferences on legislative matters.

(ix) Receives and, as directed by the Administrator, disposes of all requests from congressional committees and subcommittees (other than appropriations) or their staffs, except oral requests for purely routine administrative data, and clears all letters and other communications to such committees initiated in the VA.

(x) Collaborates and coordinates with the Controller legislative language in drafts of appropriation bills, amendments thereto, and related communications.

(xi) Receives and as directed by the Administrator disposes of all requests on the VA for preparation of drafts of bills or comment, formally or informally, on proposed legislation or to furnish information concerning pending legislation.

(xii) Arranges for attendance of VA personnel as witnesses or observers at meetings of congressional committees (other than appropriations). Receives and disposes of all requests for detail or assignment of personnel to work with congressional committees or their staffs. Maintains liaison with the Senate and House committees.

(xiii) Prepares compilations of Federal laws pertaining to veterans, annotated, indexed, and cross-referenced, in accordance with 38 U.S.C. 215, or as otherwise authorized; and pamphlets, resumes, releases, and documents pertaining to veterans legislation, as required. Maintains legislative historical records and service therefrom.

(4) *Office of Management Engineering and Evaluation.* The Assistant Administrator for Management Engineering and Evaluation: (i) Formulates and recommends to the Administrator general policies and plans of VA-wide application pertaining to the following activities:

(*a*) Management engineering (including specific programs such as manpower utilization).

(*b*) Internal audits and special studies.

(*c*) Appraisal programs.

(*d*) Paperwork management.

(ii) Seeks out new ideas, new skills, new methods, and technologies in the field of management engineering and in collaboration with the departments and staff offices selectively facilitates their implementation in the VA, through programs of education, demonstration, and use.

(iii) Directs the conduct of necessary studies and research to determine policy requirement in the above areas.

(iv) Directs the conduct of systems analysis studies, surveys, and special studies authorized by the Administrator, Deputy Administrator, or Associate Deputy Administrator of Veterans Affairs.

(v) Formulates criteria for the development and operation of management and operating standards systems and assists department and staff heads in the implementation and utilization of such systems.

(vi) Provides needed technical staff management engineering assistance to department and staff office heads.

(vii) Conducts internal audits of all activities and elements of VA as a basis for protective and constructive service to management.

(viii) Submits appraisals and reports for the use of the Administrator, Deputy Administrator, or Associate Deputy Administrator of Veterans Affairs; disseminates information from these reports to the heads of departments and other top officials; and maintains controls to assure that corrective action is accomplished by the responsible officials in accordance with instructions of the Administrator.

(ix) Furnishes advice, guidance and assistance to the Administrator, department heads, and top staff officials in connection with the above activities.

(x) Appraises and evaluates the effectiveness and economy of the above activities for the Administrator.

(xi) Maintains liaison and acts in cooperation with the officials of other offices and agencies of the Government on these matters.

(xii) Coordinates review and evaluation of General Accounting Office reports concerning VA matters, including summary reports to the Bureau of the Budget.

(5) *Investigation and Security Service.* The Director: (i) Formulates and recommends to the Administrator general policies, plans and procedures of VA-wide application pertaining to the following activities:

(*a*) Investigations.

(*b*) Security program.

(*c*) Employment discrimination complaints and contract compliance program under Executive Order 11246.

(ii) Conducts administrative and other investigations, surveys, and special studies, as directed, of all activities and all levels of VA, as well as those organizations, associations, or individuals having official dealings or relationships with the VA.

(iii) Submits reports of factual findings, with conclusions and recommendations, to the interested heads of departments and other top staff officials; establishes control of reports to assure that action as approved by the Deputy Administrator is taken.

(iv) Reviews investigation reports from VA field stations and makes recommendations to the departments as to the adequacy of the investigation and the appropriateness of the action taken.

(v) Operates a technical laboratory for the examination, analysis, identification and classification of handwriting, typewriting, questioned documents, fingerprints, and other material subject to laboratory analysis; provides expert witnesses in these matters.

(vi) Collects, reviews, coordinates, and disseminates data concerning veterans reported as missing.

(vii) Receives and processes anonymous communications, complaints, and allegations and disseminates such information with appropriate recommendations.

(viii) Receives, reviews, and disseminates investigation reports from the Federal Bureau of Investigation and other Government agencies.

(ix) Operates the VA-wide personnel security program, including initiation of investigations. For both Central Office and field station employees, issues security clearance when appropriate or recommends other disposition to the Administrator or Deputy Administrator.

(x) As VA Discrimination Complaints Officer and Contract Compliance Officer for matters coming within the purview of Executive Order 11246, receives complaints, conducts contract compliance reviews, develops relevant information through investigation and otherwise, determines action necessary to deal with instances (or alleged instances) of discrimination by the VA or by contractors, and acts for the Administrator in ordering any necessary corrective measures.

(xi) Furnishes advice, guidance and assistance to the Administrator, department heads, and top staff officials in connection with the above activities.

(xii) Appraises and evaluates the effectiveness and economy of the above activities for the Administrator.

(xiii) Maintains liaison and acts in cooperation with officials of departments and other agencies of the Government in connection with the above activities.

(xiv) Supervises and directs the activities of Investigation and Security field representatives.

(6) *Office of Construction.* The Assistant Administrator for Construction: (i) As Chief Engineer of the VA, formulates and recommends to the Administrator general policies and plans of VA-wide application pertaining to the following activities:

(*a*) Design, construction, maintenance, and operation of buildings, structures, and utilities.

(*b*) Real property management, including acquisition, economical utilization protection, and disposal of real property and interests therein.

(*c*) Accident and fire prevention, fire protection, and station emergency planning.

(ii) Advises and assists the staff and the heads of the departments in connection with these activities, and appraises for the Administrator the effectiveness and economy of these activities.

(iii) Interprets administratively, for the Administrator and staff and the department heads, regulations, decisions, and directives of other governmental bodies concerned with these activities.

(iv) Upon consultation with heads of operating departments concerned, develops and takes action to obtain necessary approvals of fiscal year construction programs to provide, convert, and preserve facilities (except operational maintenance and repair), meeting requirements of the operating departments, and consistent with current legislative and executive policy and VA responsibility for preservation of real property assets.

(v) Formulates, for inclusion in the consolidated VA budget, annual estimates for VA construction programs, and participates, with the Controller and department heads concerned, in presentation of the budget for construction programs before the Bureau of the Budget and the Congress.

(vi) Directs and controls design and construction of hospital, domiciliary, and other facilities, major alterations, improvements, and repairs (exclusive of operational maintenance and repair), in conformance with professional standards and operating requirements as defined in collaboration with the operating departments concerned, and within established program and appropriation limitations.

(vii) Takes action for the VA to acquire real property and property interests in fee, in accordance with approved program requirements, and to dispose of such real property and interests where excess to the needs of the VA (not including transactions within the veteran's Loan Guaranty program).

(viii) Acts as duly authorized representative of the Administrator under provisions of contracts related to assigned activities except hearing and decision appeals from the decisions of VA Contracting Officers. Provides counsel to represent the Government in appeals under supply contracts.

(7) *Office of Personnel.* The Assistant Administrator for Personnel:

(i) Is the Director of Personnel for the agency and is responsible to the Administrator of Veterans Affairs for the personnel program of the VA; advises and assists the Administrator and top agency officials on all personnel matters; provides leadership and overall direction for effective and efficient personnel management throughout the agency.

(ii) As a member of the Administrator's top staff, advises and assists agency management on organization planning, selections for top management positions, manpower planning, manpower utilization and cost reduction, position management, employee productivity and motivation, and the impact of organization and operations on employees, labor relations, and the public image of the VA as an employer.

(iii) Serves as the Equal Employment Opportunity Officer for the VA and in this capacity is directly responsible for the full development and implementation of positive action programs directed toward full equality of opportunity for all persons in accordance with public policy objectives.

(iv) Establishes objectives and initiates programs to obtain, develop, and maintain an effective work force for the successful accomplishment of the missions of the agency; formulates plans, policies, systems, and procedures for the personnel management throughout the agency; appraises for the Administrator the effectiveness and economy of personnel management and takes corrective action or recommends improvements to the Administrator and department heads.

(v) Is the principal representative of the agency with the Civil Service Commission, unions, and other employee organizations; represents the Administrator before the Congress and to the Bureau of the Budget and other Federal agencies on matters relating to VA personnel management.

(8) *Office of Administrative Services.* The Manager: (i) Is responsible to the Associate Deputy Administrator for the provision of general administrative services, including:

(*a*) *Services—VA-Wide.* (*1*) Supplemental claimant identification, claims folder location, development of veterans records, and language translation.

(*2*) Centralized processing of notices of death.

(*3*) Printing and reproduction program, including distribution and creative arts.

(*4*) Audiovisuals program including exhibits, film production, and distribution.

(*b*) *Services—Central Office, and Data Processing Center, Washington, D.C.* (*1*) Mail, telecommunications, and maintenance of Central Office records.

(*2*) Employee travel.

(*3*) Supply, including contractual services.

(*4*) Maintenance of office furnishings and equipment.

(*5*) Emergency preparedness functions, including operation of the public shelter program, and safety and fire protection program.

(*6*) Space management, including coordination with General Services Administration concerning building improvements and maintenance.

(*c*) *Services—Veterans Benefits Office, Washington, D.C.* (*1*) Telecommunications.

(*2*) Space acquisition, disposal and reporting.

(ii) Formulates and recommends to the Associate Deputy Administrator, policies relating to the above operations.

(iii) Conducts staff studies, and maintains continuing evaluation and control of these operations to insure effective and economical operations.

(iv) Provides guidance and assistance to staff offices, departments, Veterans Benefits Office, and the Data Processing Center, Washington, D.C., in the above operations.

(v) Maintains liaison with Joint Committee on Printing, and Government Printing Office, and operating contacts with other Government agencies, public utilities, and other public and private organizations to coordinate and improve service and support in these activities.

(c) *Departments*—(1) *Department of Medicine and Surgery.* The Chief Medical Director has jurisdiction over and is responsible to the Administrator for the proper conduct of the activities of the Department of Medicine and Surgery; insures complete medical and hospital service for the medical care and treatment of veterans as prescribed by the Administrator of Veterans Affairs pursuant to title 38, United States Code, and other statutory authority and regulations.

The Deputy Chief Medical Director serves as the immediate and full assistant to the Chief Medical Director and, as delegated by him or in his absence, performs any statutory or other duty which he is required or authorized to perform with respect to the department.

The Associate Deputy Chief Medical Director serves as an assistant to the Chief Medical Director and the Deputy Chief Medical Director in the overall administration of the department with special responsibility for the supervision of hospital construction, administrative services, management and evaluation and budget activities; is responsible for management systems, administrative research, and planning, programming and budgeting and for field station activation and deactivation instructions and coordination of their implementation.

(i) *Office of Administrative Services.* The Director: (*a*) Formulates and recommends to the Associate Deputy Chief Medical Director policies and plans pertaining to administrative services in hospitals, clinics, domiciliaries, and restoration centers. Directs and coordinates the activities of administrative services and the Canteen Service.

(*b*) Develops and recommends standards required in the administrative support of an integrated program of medical, domiciliary and restoration center care.

(*c*) Appraises for the Associate Deputy Chief Medical Director the effectiveness of policies and plans pertaining to administrative services within areas of responsibilities.

(*d*) Disseminates information of administrative, nondirective nature dealing with developments in the areas of responsibility.

(*e*) Performs forms management and records management services for the department.

(*f*) Responsible for the management analysis program.

(ii) *Office of the Assistant Chief Medical Director for Management and Evaluation.* The Assistant Chief Medical Director for Management and Evaluation: (*a*) Coordinates for the department all internal and external evaluation and inspection activities, and the reports relating thereto.

(*b*) Develops policies and plans for audits, surveys, and pertinent reporting systems for evaluation of field station management and operations.

(*c*) Evaluates overall department effectiveness in the conduct of audits and surveys and the application of management controls; recommends action necessary for correction of deficiencies or to accomplish improvements.

(*d*) Develops plans and policies for the operation and evaluation of the department's cost reduction and management improvement programs. Evaluates the department's manpower utilization and work simplification programs.

(*e*) Reviews proposed legislation and Executive orders to determine the specific effect upon the medical program, comments and recommends with respect thereto; recommends changes to existing laws affecting medical benefits. Participates in congressional hearings on proposed legislation, when requested.

(*f*) Advises on legal matters and collaborates with the Office of the General Counsel on matters relating to the legal and legislative aspects of the medical program.

(*g*) Reviews and processes outside inquiries pertaining to quality of medical care, surveys of Joint Commission on Accreditation of Hospitals, and utilization review and coordinates replies thereto.

(h) Assures compliance with the requirements of the nondiscriminatory employment policy.

(i) Reviews, processes, and is responsible for appropriate coordination of reports received on emergency situations at field stations.

(j) Reviews and takes coordinated action for the department on all investigations.

(k) Performs special assignments as directed by the Chief Medical Director.

(iii) *Office of the Budget Service.* The Director: (a) Recommends to the Associate Deputy Chief Medical Director general policies, plans and standards, of departmentwide application, including those for the General Post Fund, pertaining to the following activities:

(1) Budget.

(2) Finance.

(b) Integrates workload, manpower, and cost requirements for overall departmental plans.

(c) Appraises for the Associate Deputy Chief Medical Director the effectiveness of general policies and plans and standards pertaining to these activities.

(d) Provides liaison with the VA Controller on policies, procedures, and plans relating to accounting and fiscal systems covering Department of Medicine and Surgery programs. Makes recommendations covering these areas.

(e) Advises and assists key staff officials in connection with these activities.

(f) Recommends allocations to be made from funds under control of department after coordination.

(g) Allocates, allots, and controls funds as approved.

(h) Assists the Chief Medical Director and Associate Deputy Chief Medical Director in the presentation of the Department of Medicine and Surgery budget before the Bureau of the Budget and the Congress.

(i) Recommends to the Chief Medical Director the final selection of the best qualified candidate, for centralized positions, for referral to the field station.

(j) Concurs in final selection of candidates for field station assistant chief and accounting positions.

(iv) *Office of the Hospital Construction Service.* This office: (a) Develops master plans including assembling of space criteria, equipment requirements, mechanized and electronic systems for transportation and communications within medical facilities, etc., needed for master plans, and development of the criteria where it has not been provided.

(b) Reviews and coordinates architectural plans.

(c) Prepares project submissions for VA and Bureau of the Budget approval.

(d) Serves on site selection boards.

(e) Conducts followup inspections and studies of hospitals following activations.

(f) Keeps current on advances in the field of hospital construction, especially in criteria and design.

(v) *Office of the Assistant Chief Medical Director for Professional Services.* The Assistant Chief Medical Director for Professional Services: (a) Formulates and recommends to the Chief Medical Director policies and plans of departmentwide application pertaining to professional services in hospitals, domiciliaries, clinics, nursing home care units, and restoration centers. Coordinates the activities of the professional services to insure a balanced program of medical care and treatment.

(b) Develops and recommends to the Chief Medical Director standards governing the kinds and quality of staff, facilities, equipment and supplies needed for an integrated program of medical, domiciliary, and restoration center care.

(c) Advises and assists the Chief Medical Director on professional matters related to the operation of hospitals and extended care services including domiciliaries, clinics, restoration centers, and nursing home care.

(d) Appraises for the Chief Medical Director the effectiveness of policies and plans pertaining to professional services and the validity of professional standards.

(e) Collects and disseminates information of a purely professional, nondirective nature, dealing with clinical and scientific matters.

(f) Formulates and recommends policies, plans and objectives pertaining to Administrative Assistants to Chiefs of Staff, and for Medical Illustration activities.

(vi) *Office of the Assistant Chief Medical Director for Research and Education in Medicine.* The Assistant Chief Medical Director for Research and Education in Medicine: (a) Formulates and recommends to the Chief Medical Director policies and plans of departmentwide application pertaining to programs of research and education in medicine.

(b) Develops and administers a coordinated research program.

(c) Develops and coordinates programs of medical, paramedical, and medical administrative education.

(d) Appraises for the Chief Medical Director the effectiveness of policies and plans pertaining to research and education in medicine activities.

(e) Collects and disseminates information of a purely professional, scientific or technical, nondirective nature to research and education staffs in hospitals, domiciliaries, clinics and restoration centers.

(vii) *Office of the Assistant Chief Medical Director for Dentistry.* The Assistant Chief Medical Director for Dentistry: (a) Formulates and recommends to the Chief Medical Director policies, plans and professional standards, of departmentwide application, pertaining to a program of dental care.

(b) Develops and recommends to the Chief Medical Director standards governing kinds and quality of staff, facilities, equipment and supplies needed for an integrated program of dental care. Collaborates with the Assistant Chief Medical Directors and other elements of the Chief Medical Director's staff in developing and maintaining unified planning and operations.

(c) Appraises for the Chief Medical Director the effectiveness of policies and plans pertaining to the dental services, and the validity of professional standards.

(d) Collects and disseminates information of a purely professional, nondirective nature, dealing with clinical and scientific matters, to professional staffs of hospitals, domiciliaries, clinics and restoration centers.

(e) Maintains liaison with dental activities in other Federal agencies and dental organizations.

(f) To the extent delegated by the Chief Medical Director has jurisdiction over and responsibility for the conduct of the dental activities.

(viii) *Regional Medical Director.* The Director: (a) Acts for and represents the Chief Medical Director with delegated authority to determine the mission and administer and operate medical programs within assigned geographical boundaries.

(b) Evaluates the need and establishes priorities for all special medical treatment programs and facilities seeking guidance and coordination from Central Office staff.

(c) Controls and insures equitable distribution of funds to field stations.

(d) Appraises and evaluates the management effectiveness of field station operation and quality of medical care programs through use of intra-VA and extra-VA specialty consultants.

(e) Provides the Chief Medical Director with current and objective information on total operation of individual field stations.

(f) Coordinates effective work relationships between field stations and affiliated training and health care institutions.

(g) Assures that all approved recommendations regarding operations of field stations made by Internal Audit, General Accounting Office and the Joint Commission on Accreditation of Hospitals are implemented by management.

(2) *Department of Data Management.* The Chief Data Management Director has jurisdiction over, directs and is responsible to the Administrator for the conduct of activities of the Department of Data Management. He insures the effective support of the mission of the VA through the use of data processing, data management process control, and electronic communications systems and appraises the effectiveness and economy of all activities under the jurisdiction of the department.

The Budget Staff maintains liaison for the department with VA Controller on budget and fiscal matters; develops and recommends to the Chief Data Management Director annual budget estimates and current fiscal plans; controls departmental and field station funds; participates in the justification of the budget estimates of the Department of Data Management before the Bureau of the Budget representatives and congressional committees; and develops and maintains a departmentwide program for analyzing and interpreting financial management information.

(i) *Systems Development Service No. I and No. II.* The Director: (a) Conducts

preliminary studies of VA operations to determine whether a full ADP (automatic data processing) feasibility study is justified.

(b) Conducts ADP feasibility studies in areas of potential data automation.

(c) Makes systems analysis and determines systems design specifications in collaboration with representatives of other VA elements.

(d) Evaluates the capability of new and existing equipment to accomplish the objectives of the proposed system and makes recommendations accordingly to the Chief Data Management Director.

(e) Develops data processing systems in detail on the basis of approved feasibility studies.

(f) Makes modifications requiring extensive redesign to ongoing ADP systems as necessitated by new legislation, user requirements, or improvements in ADP techniques.

(g) Tests ADP systems and certifies to the Chief Data Management Director as to their readiness for live operation, subject to concurrence of systems auditors.

(h) Writes data processing procedures required for new or redesigned ADP systems. Identifies changes required in procedures of the other VA elements and reviews procedures written for conformity with approved systems designs and objectives.

(i) Participates in the installation of new or redesigned ADP systems, including conversion from the old system.

(ii) *Systems Operations Service.* The Director: (a) Provides staff support to the Chief Data Management Director for operation of data processing centers and data processing branches.

(b) Develops system logic, computer program and ADP field instructions to reflect legislative, regulatory, procedural or system improvement changes.

(c) In collaboration with the Planning and Research Service, reviews requests for ADP equipment. Recommends equipment changes (acquisitions and dispositions) to modify existing ADP systems, or ADP systems for which equipment purchase orders have been placed. Evaluates the utilization of ADP equipment (computers, peripheral, and EAM (electric accounting machines)) to assure optimum utilization on an agencywide basis and recommends appropriate equipment adjustments, including acquisition, replacement, or disposition.

(d) Recommends the establishment, merger or elimination of Department of Data Management field installations and implements approved recommendations.

(e) Designs, develops, installs, and maintains EAM systems on an agencywide basis.

(f) Conducts special studies to determine impact of changes to existing and planned applications on schedules and resources.

(g) Installs new approved ADP systems.

(h) Develops schedules and plans for converting existing VA operations to ADP systems in collaboration with all affected organizations.

(i) Develops conversion and operating training plans and material for users of ADP systems.

(j) Monitors test parallel operations and evaluates readiness for "live" operations.

(k) Reviews proposed changes in ADP field instructions prior to approval by the Chief Data Management Director and assures that new ADP systems are adequately documented for all field stations including those under the jurisdiction of the Department of Data Management.

(l) Collaborates with other VA elements and provides leadership in training key employees of Central Office and field stations in details of ADP systems.

(m) Reviews requests for ADP services and recommends approval or alternate techniques.

(n) Reviews and recommends approval or changes to detailed schedules and plans for security purposes and for implementing the department's emergency planning program.

(iii) *Management and Evaluation Service.* The Director: (a) Conducts a continuing program of evaluation of the internal management of the department and field stations.

(b) Conducts special studies as approved by the Chief Data Management Director.

(c) Coordinates the department's reply to all reports of investigation, audits, and surveys and follows through on the disposition of the recommendations.

(d) Conducts the performance standards program.

(e) Operates a comprehensive cost estimating program to determine the cost of existing operations being studied for automation and estimates costs for new ADP applications to determine savings or increased costs at each stage of a project.

(f) Operates a comprehensive ADP systems audit program to provide management with an independent evaluation of the propriety and accuracy of new and ongoing ADP systems.

(g) Participates in the planning and development of new ADP systems and changes to existing systems to assure inclusion of adequate controls and audit trails.

(h) Provides administrative services to the department in such areas as records management and forms and publications control, and acts as liaison on these matters with other departments and staff offices.

(iv) *Communications Service.* The Director: (a) Formulates and recommends to the Chief Data Management Director, general policies, plans and guidelines for VA-wide communications systems consisting of:

(1) Teletype network.

(2) Telephone systems.

(3) Hospital communications systems.

(4) Electronic data transmission systems.

(b) Coordinates the administration of the agency's communications systems with all departments and staff offices.

(c) Designs, engineers, tests, and assists in the installation of communications systems for use VA-wide. Makes technical reviews and recommends actions on proposals for the purchase or lease of electronic communications equipment.

(d) Develops and prepares for use VA-wide, procedures, standards, directives, guidelines, and informational material relating to the management and operation of communications systems.

(e) Manages the use of the radio frequency spectrum VA-wide and coordinates this effort with regulatory and other user agencies.

(f) Provides services to all departments and staff offices on all communications matters including onsite technical service to field stations when needed.

(g) Reviews and evaluates the effectiveness of communications policies and plans being followed, the efficiency of procedures used, and the economy of performance under these policies, plans, and procedures. Advises the Chief Data Management Director of conditions found and recommends actions.

(h) Maintains liaison and coordinates VA communications plans and systems with other Government agencies and commercial industries.

(i) Keeps abreast of overall Federal Government planning and the latest technological developments in all fields of electronic communications systems.

(v) *Planning and Research Service.* The Director: (a) Formulates and recommends to the Chief Data Management Director policies and plans for planning and research in data management. Develops and administers a coordinated program for long-range planning; emergency preparedness planning; and investigation of new computer equipment, advanced data sciences techniques and programming techniques. Maintains liaison with other Government agencies, groups and individuals concerned with these fields.

(b) Develops and revises VA ADP long-range plans and reviews short-range plans.

(c) Conducts periodic technical review of all projects under study or development to insure compatibility with long- and short-range plans; including adequacy of project objectives, schedules, and consideration of related current or planned subsystems and studies.

(d) Reviews all requests to acquire, replace or dispose of electronic computers, peripheral equipment and data transmission equipment to insure compatibility with long- and short-range plans.

(e) Reviews plans of other VA departments and staff offices, and other Government agencies to determine their impact on the department. Advises the Chief Data Management Director of conditions found and recommends action.

(f) Makes an initial review of unsolicited ADP proposals and recommends action to be taken.

(g) Investigates ADP plans and practices of other Government agencies and private concerns to identify programs or procedures with potential for VA use.

(h) Responsible for emergency preparedness planning for the department.

(i) Investigates advanced data sciences techniques using ADP (e.g., linear programing, operations research, mathematical modeling) for application within the VA. Tests those which appear to have current or potential use.

(j) Investigates new developments in ADP equipment to identify that which has current or potential VA use.

(k) Investigates advanced programming techniques and efficiency of compilers and other software, and conducts original research in this area. Tests advanced programming techniques which appear to have current or potential use. Recommends standardized programming techniques for adoption in the VA.

(l) Provides or arranges technical support and training in data sciences and advanced programming.

(m) Reviews, on a periodic basis, programming techniques being used in project development to assure consistency with standards.

(n) Develops and recommends standardized ADP data elements for VA-wide use.

(3) *Department of Veterans Benefits.* The Chief Benefits Director has jurisdiction over, directs, and is responsible to the Administrator for the conduct of the activities of the Department of Veterans Benefits. He administers an integrated program of veterans benefits consisting of compensation, pension and education, insurance, loan guaranty, guardianship, and contact activities of the VA.

The Deputy Chief Benefits Director serves as the full assistant to the Chief Benefits Director in the discharge of his responsibilities, acts for him in his absence, and participates fully in the direction of all activities of the Department of Veterans Benefits. He is responsible to the Chief Benefits Director for the department's operations.

The Evaluation Staff, responsible to the Chief Benefits Director, develops policies and plans for processing and utilization of all data relating to effectiveness of field station operations; evaluates policies and plans for audits, surveys and evaluation of field station operations and management, and Central Office, Department of Veterans Benefits activities; evaluates overall department effectiveness in applying management control, management reporting, measurement and evaluation techniques; plans audit and reporting requirements under ever-changing organizational realignments and electronic and mechanical processing; coordinates evaluation, reporting and inspection activities in the department; provides guidance and assistance in the implementation and use of methods and standards for evaluation; evaluates department effectiveness in implementing VA and department policies and plans for all standards; evaluates effectiveness of and necessity for department reports, surveys and inspections; audits and evaluates performance of Central Office, Department of Veterans Benefits staff and line elements; and performs special assignments as directed by the Chief Benefits Director.

(i) *Compensation, Pension and Education Service.* Director, Compensation, Pension and Education Service: (a) Formulates and recommends to the Chief Benefits Director plans, regulations, procedures, and standards of departmentwide application within the limitations of VA-wide policies and plans pertaining to the following activities:

(1) Disability compensation and pension claims.

(2) The schedule for rating disabilities.

(3) Claims for automobiles or other conveyances.

(4) Special housing claims.

(5) Emergency officers' retirement claims and Reserve officers' retirement pay under laws administered by the VA.

(6) Eligibility determinations for other services or Government agencies.

(7) Death compensation and pension claims.

(8) Claims for dependency and indemnity compensation.

(9) Claims for reimbursement for burial, funeral, and transportation expenses of deceased veterans.

(10) Claims for accrued compensation, pension, retirement pay, subsistence and training allowances, and readjustment allowances.

(11) Forfeiture of rights and benefits.

(12) Claims for Government insurance by beneficiaries of deceased veterans.

(13) Claims for servicemen's indemnity.

(14) Claims for adjusted compensation in death cases.

(15) Claims for vocational rehabilitation and education benefits under title 38, United States Code.

(b) Appraises for the Chief Benefits Director the effectivenes, efficiency, and economy of policies, regulations, procedures, and standards in implementing public laws and attaining program objectives and the significant effect of the compensation, pension and educational benefits program nationally.

(c) Reviews proposed legislation and Executive orders to determine the specific effect upon the program and comments and recommends with respect thereto; also recommends changes to existing laws affecting compensation, pension and educational benefits. Participates in congressional hearings on proposed legislation, when requested.

(d) Maintains liaison with agencies and organizations interested in compensation, pension and educational benefits.

(e) Develops long-range plans, policies, and objectives for the compensation, pension and educational benefits program.

(f) Renders staff coordination and technical assistance to insure that automatic data processing programs and procedures are consistent with compensation, pension and educational benefits program substantive and procedural requirements.

(g) In collaboration with the Director, Program Planning and Budgeting Service, performs budgetary administrative functions relating to the compensation, pension and educational benefits program.

(ii) *Loan Guaranty Service.* Director, Loan Guaranty Service: (a) Formulates and recommends to the Chief Benefits Director, policies, plans, regulations, procedures and standards for departmentwide application within the limitations of VA-wide policies and plans pertaining to the guaranty or insurance of loans, the making of direct loans, and the making of grants for specially adapted housing, and for activities pertaining to the liquidation, sale, or other disposition of loans and properties.

(b) Appraises for the Chief Benefits Director the effectiveness, efficiency and economy of policies, regulations, procedures and standards in implementing public laws and attaining program objectives and the significant effects of the loan guaranty and direct loan programs nationally.

(c) Reviews proposed legislation and Executive orders to determine the specific effects upon the programs and comments and recommends with respect thereto; also recommends changes in existing laws affecting the loan guaranty and direct loan programs. Participates in congressional hearings on proposed legislation, when requested.

(d) Maintains top-level liaison with other Government departments and agencies and industry and financial organizations interested in the construction, marketing and financing of residential dwellings and the extension of credit to consumers for home, farm and business purposes.

(e) Develops long-range plans, policies and objectives for the loan guaranty and direct loan programs.

(f) Directs staff coordination and technical assistance to insure that automatic data processing programs and procedures are consistent with loan guaranty and direct loan programs' substantive and procedural requirements.

(g) Advises the Chief Benefits Director on resources necessary for programwide operations, to pay claims, acquire properties, make direct loans and defray operating expenses and on the sources of funds, including revenues from operations and sales of loans and properties, available for such expenditures. In collaboration with the Director, Program Planning and Budgeting Service, performs budgetary functions relating to the general operating expenses of the programs.

(iii) *Insurance Service.* Director, Insurance Service: (a) Formulates and recommends to the Chief Benefits Director policies, plans, regulations, procedures, and standards of departmentwide application within the limitations of VA-wide policies and plans pertaining to the conduct of the Government Life Insurance program, including the following activities:

(1) Billing, collecting (excluding the receipt and deposit of payments), and crediting payments for insurance premiums, loans and liens.

(2) Adjudication and payment of disability income awards.

(3) Authorization of policy loans, cash surrenders, and matured endowments.

(4) Adjudication of disability insurance claims involving waiver of premiums.

(5) Conducting allotment transactions with the service departments and payroll transactions with commercial employers.

(6) Effecting lapse, reinstatement or refund action.

(7) Effecting conversions, reductions, renewals and other insurance policy changes.

(8) Issuing new policies and disability income riders.

(9) Authorizing gratuitous insurance.

(10) Determining whether death or disability is directly traceable to the extra hazards of military or naval service and authorizing transfer from appropriation to funds.

(11) Reviewing of running awards under disability insurance claims to determine whether recovery has been effected and award should be terminated.

(12) Effecting administrative adjustments on individual cases.

(13) Cancellation of insurance by reason of fraud or forfeiture of rights.

(14) Establishment of health requirements and medical criteria for insurance purposes.

(15) Conducting transactions with commercial insurers for guarantee of premium payments under article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for providing insurance under the Servicemen's Group Life Insurance program.

(16) Conducting studies of mortality and disability to calculate and establish policy rates and values, determine surplus and apportionment of dividends, and compile actuarial statements.

(b) Appraises for the Chief Benefits Director the effectiveness, efficiency, and economy of policies, regulations, procedures, and standards in implementing public laws and attaining program objectives and the significant effect of the insurance program nationally.

(c) Reviews proposed legislation and Executive Orders to determine the specific effect upon the program and comments and recommends with respect thereto; also recommends changes to existing laws affecting the insurance program.

(d) Maintains liaison with agencies, organizations and commercial activities interested in life insurance.

(e) Develops long-range plans, programs, policies, and objectives for the insurance program.

(f) Renders staff coordination and technical assistance to insure that automatic data processing programs and procedures are consistent with the insurance program substantive and procedural requirements.

(g) In collaboration with the Director, Program Planning and Budgeting Service, performs budgetary administrative functions relating to the insurance program.

(iv) *Program Planning and Budgeting Service.* Director, Program Planning and Budgeting Service: (a) Formulates, upon consultation with staff officials, and recommends to the Chief Benefits Director, policies, plans, and procedures pertaining to the following activities of the department:

(1) Budgetary programs.

(2) Planning-Programing-Budgeting system.

(3) Adequacy, efficiency, and quality of finance field operations.

(4) Internal Management program.

(5) Establishment and maintenance of standards: Work measurement, quality, management, and evaluation.

(6) Cost reduction and manpower utilization programs.

(7) Research activities.

(b) Appraises for the Chief Benefits Director, the effectiveness, efficiency, and economy of policies, regulations, procedures, and standards in implementing public laws and attaining program objectives.

(c) Recommends allotments to be made from funds under control of department and allots funds within overall approved budgetary programs of the department; maintains departmentwide budgetary control records.

(d) Responsible for developing and installing the Planning-Programing-Budgeting system in the department, and presenting the program and financial plans and program memorandums, including systematic analysis of programs and special studies.

(e) Conducts an integrated, departmentwide system of management improvement and management controls, including performance and evaluation standards, productivity indicators, and other management and work improvement methods and techniques.

(f) Responsible for the development of cost consciousness throughout the department and the promotion of better management through cost reduction and manpower utilization programs.

(g) Maintains liaison with the VA Controller on policies, procedures, and plans relating to accounting and fiscal systems, quality control and work measurement covering the department's finance activities. Advises the Chief Benefits Director of the effectiveness, efficiency and adequacy of fiscal procedures and operations throughout the department.

(h) Directs departmental liaison with the VA Controller on reports and statistics; responsible for apprising the Chief Benefits Director as to the adequacy of support provided to the department.

(i) Directs the coordination of formal research activities for the department. Directs the planning, recommendation for, and conduct of special research studies to develop, analyze and provide pertinent information to VA officials for their use or their release to other governmental officials, the Congress, or the general public concerning the appropriateness and impact of the benefits administered by the department.

(j) Serves as the principal point of contact with the VA Controller and, in conjunction with the latter, with the General Accounting Office, Bureau of the Budget, and other Government agencies on these activities.

(v) *Guardianship Service.* Director, Guardianship Service: (a) Formulates and recommends to the Chief Benefits Director, policies, plans, procedures, and standards of departmentwide application within the limitations of VA-wide policies and plans pertaining to the following activities:

(1) The VA guardianship program under 38 U.S.C. 3202, an act to safeguard the estates of minors and incompetents entitled to benefits under acts administered by the VA, including courts in which the Administrator of Veterans Affairs is represented by his duly authorized attorney.

(2) Field examination program, including field examinations in guardianship cases; compensation, pension, retirement, insurance, and indemnity cases; vocational rehabilitation and education cases, loan guaranty cases, and other matters.

(3) Waivers, compromises, suspension and termination of collection activity of overpayments and of other debts arising out of compensation, pension, vocational rehabilitation and education, loan guaranty and insurance programs.

(b) Furnishes legal advice and assistance to the Chief Benefits Director with respect to the application of the Federal and State laws, and VA regulations and instructions pertaining to Guardianship and Field Examination activities.

(c) Advises the Chief Benefits Director on matters involving State legislation affecting the guardianship program and commitment of mentally ill veterans.

(d) Maintains liaison with agencies and organizations interested in these activities.

(e) Appraises for the Chief Benefits Director the effectiveness, efficiency, and economy of policies, plans, procedures, and standards in implementing public laws and attaining program objectives, and the significant effect thereof on the Guardianship activities nationally.

(f) Formulates and recommends to the Chief Benefits Director work-rate and quality performance standards and related work measurement reporting system for all activities of the Office of the Chief Attorney; conducts studies to assure continued validity of the standards and reliability of the work measurement system.

(vi) *Contact and Administrative Service.* Director, Contact and Administrative Service: Formulates policies, plans, procedures, and standards of departmentwide application pertaining to:

(a) Providing information, advice, and assistance to veterans, their dependents and beneficiaries, their representatives, and others in preparing, developing, and presenting applications and claims under laws administered by the VA, and providing personal assistance on benefit matters to separatees from military service for reasons of disability and preseparation group orientation on veterans' benefits to other

separatees at points of embarkation of servicemen returning from foreign locations and at stateside military establishments;

(b) Foreign affairs including veterans' services in foreign countries and U.S. possessions, and operation of VA offices in Europe and the Panama Canal Zone;

(c) Negotiating reciprocal agreements for veterans' services pursuant to 38 U.S.C. 109 and coordination of agreements and other matters relating to administration of the Manila Regional Office;

(d) An office services program involving records management; correspondence; publication; forms and forms letters; office machines and equipment; real and personal property management; and general office practices performed by regional office administrative activities;

(e) Formulation and maintenance of work-rate and quality performance standards and related work measurement systems for the field station activities for which the Service is responsible; and

(f) Appraises for Chief Benefits Director the effectiveness, efficiency, and economy of the policies, plans, procedures and standards in implementing public laws and attaining program objectives.

(vii) *Area Field Director.* Each Area Field Director for assigned geographic area is responsible to the Deputy Chief Benefits Director for:

(a) Effective, efficient, and economical operation of the complete departmental program of benefits and services;

(b) Continuing control and evaluation of field station management and operations; and

(c) Providing assistance and guidance to field station Managers, or Center Director.

SEC. 3 *Field Stations.* VA centers, domiciliaries, hospitals, insurance centers, and regional offices, located throughout the United States, and the Veterans Benefits Office, located in the District of Columbia, facilitate the granting of benefits provided for veterans and their dependents. Under the jurisdiction of parent regional offices are located VA offices to render service to veterans nearer their homes. Outside the United States, a regional office is located in the Philippines; a VA center (hospital and regional office) is located at San Juan, P.R.; a VA office for Europe is located in Rome, Italy; and a representative of the VA is stationed at Balboa, C.Z.

(a) *Insurance Centers.* The Veterans Administration, Department of Veterans Benefits, operates insurance field activities through two VA centers at Philadelphia and St. Paul. They provide policy, underwriting, and disability insurance claims service to veterans with Government life insurance within assigned geographical areas. The offices implement established plans, policies, and operating procedures. They are responsible for the auxiliary services essential to the insurance office operations, including finance, personnel, administrative, and supply activities. All United States Government Life Insurance policyholders and those National Service Life Insurance policyholders paying premiums by allotment from service department pay and by deduction from benefit payments, also those living in foreign countries, are serviced by the Philadelphia VA center.

(b) *Regional Office.* A VA regional office is a field station which under properly constituted authority grants benefits and services provided by law for veterans, their dependents, and beneficiaries within an assigned territory; furnishes information as to all VA benefits and services; procures data regarding applications and claims; rates and adjudicates claims and makes awards for disability compensation and pension; establishes eligibility and need for hospitalization in other Government and private institutions and State-home care; handles guardianship and fiduciary matters and authorized legal proceedings; aids, guides, and prescribes vocational rehabilitation training and administers educational benefits; guarantees loans for purchase or construction of homes, farms, or business property and, under certain conditions, makes direct home loans; processes death claims; aids and otherwise assists the veteran in exercising his rights to benefits and services; conducts administrative, finance, files, and records activities; and supervises VA offices under its jurisdiction.

(c) *Veterans Benefits Office—District of Columbia.* The Veterans Benefits Office—District of Columbia is a field station which grants benefits and services provided by law for veterans and their dependents and beneficiaries. This office performs the functions of a regional office for an assigned territory and in addition adjudicates claims for death compensation and pension, all types of Government insurance and indemnity benefits filed by beneficiaries of deceased veterans, and reimbursement for burial, funeral, and transportation expenses of deceased veterans not assigned to the VA regional offices.

(d) *Hospital.* A VA hospital is an organizational element established to provide all eligible beneficiaries with medical care at a level comparable with the best civilian institutions treating similar types of illnesses. Hospitals are generally classified as GM&S (General Medical and Surgical), NP (Neuropsychiatric), and TB (Tuberculosis) indicating the major type of treatment. Usually, however, hospitals are equipped to render more than one type of treatment and some hospitals have facilities for highly specialized services such as those for tumors, chest surgery, neurosurgery, paraplegia, etc.

(e) *VA Center.* A VA center is an organizational element consisting of a combination of activities of two or more of the following VA field stations under jurisdiction of one manager: insurance center, regional office, hospital, or domiciliary.

(f) *Domiciliary.* A VA domiciliary is a field station providing a program of planned living in a sheltered environment and necessary ambulatory medical treatment to veterans who are unable because of their disabilities to earn a living but who are not in need of nursing service, constant medical supervision, or hospitalization.

(g) *Restoration Center.* A VA Restoration Center is designed for mobilization of medical, social, and vocational services for veterans who have reached maximum hospital and/or domiciliary benefits and who have potential for return to community living within 1 year. The program is geared primarily for younger veterans to prevent a pattern of institutionalization, but eligible veterans of all ages are accepted.

(h) *Outpatient Clinic.* A VA outpatient clinic is an organizational element established to provide eligible beneficiaries with outpatient care.

(i) *VA Office.* A VA office is an organizational element established to provide contact service and such other services as cannot be conveniently provided to veterans, their dependents and beneficiaries, and others in a given locality by the parent regional office or center.

(j) *Other field installations.* In addition to the installations referred to in the above paragraphs, there are two supply depots, a marketing center, a forms and publications depot, and six data processing centers.

(k) *Services to veterans in foreign countries.* Services to veterans in foreign countries are provided through the offices of the United States Foreign Service, except in the Republic of the Philippines where a VA regional office is located in Manila. Because of the large number of veterans residing in Mexico, the Foreign Service has an Attache for Veterans Affairs assigned in the American Embassy at Mexico City who administers directly certain veterans benefit programs by agreement between the Secretary of State and the Administrator of Veterans Affairs. Under authority contained in the act of October 15, 1962 (76 Stat. 927; 38 U.S.C. 230(c)), the VA now maintains a VA Office for Europe, located in Rome, Italy, to render technical advice and assistance in the administration of veterans' programs in the European area.

SEC. 4. *Addresses of Veterans Administration installations and Central Office and jurisdictional areas of insurance centers.* This is a guide to the location of Veterans Administration Central Office and field stations in each State (also District of Columbia, Canal Zone, Republic of the Philippines, and Commonwealth of Puerto Rico) where information may be obtained concerning benefits to veterans and their dependents and beneficiaries. Information concerning benefits as well as such matters as office hours, location of public reference facilities, fees charged for certain services such as records searching or copying, forms for use by the public and where they may be obtained, and officials to contact for various services, information or decisions, may be obtained by writing or otherwise contacting the office concerned. On any matter in which there may be a question as to the proper point of contact for services, information, or decisions, request may be directed to the Manager or Contact Officer in the nearest VA regional office.

Appeals to the Board of Veterans Appeals should be filed with the field office

of the Veterans Administration which made the decision to which the appeal relates. The field office is responsible for any preliminary development indicated, for furnishing the claimant and his representative, if any, a statement of the case giving "notice" of the pertinent facts on the issue or issues, the applicable laws, regulations and the action taken, sufficient to permit proper exercise of the statutory appeal right. When all preliminary action has been completed, the field office certifies the appeal and transfers the records to the BVA in Washington, D.C. The claimant and his representative are notified of the certification and transfer of the records to the Board. The Board of Veterans Appeals conducts a formal hearing, if desired, and makes a final decision based upon review of the entire record.

The jurisdictional areas of the two insurance centers are listed in parentheses after the insurance center concerned. The parent regional offices, and centers with regional office activities are listed with their subordinate VA Offices indented thereunder.

Type of activity and location	*Address*
ALABAMA	
Regional Office, Montgomery 36104	Aronov Building, 474 South Court Street.
Hospital, Birmingham 35233	700 South 19th Street.
Hospital, Montgomery 36109	Perry Hill Road.
Hospital, Tuscaloosa 35401	Veterans Administration Hospital.
Hospital, Tuskegee 36083	Do.
ALASKA	
Regional Office, Juneau 99801	Post Office Box 1288, 709 West Ninth Street.
VA Office, Anchorage 99501	Post Office Box 1399, Federal Building.
ARIZONA	
Regional Office, Phoenix 85025	230 North First Avenue, Federal Building.
Hospital, Phoenix 85012	Seventh Street and Indian School Road.
Hospital, Tucson 85713	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Prescott 86301.	Veterans Administration Center.
ARKANSAS	
Regional Office, Little Rock 72201	700 West Capitol Avenue, Federal Office Building.
Hospital, Fayetteville 72701	Veterans Administration Hospital.
Hospital, Little Rock 72206	300 East Roosevelt Road.
Little Rock Hospital Division	Mail: Little Rock.
North Little Rock Hospital Division	Do.
CALIFORNIA	
Regional Office, Los Angeles 90073	1380 South Sepulveda Boulevard.
VA Office, San Diego 92101	2131 Third Avenue, Wusaaw Medical Building. Building.
Regional Office, San Francisco 94103	49 Fourth Street.
Outpatient Clinic, Los Angeles 90015	1031 South Broadway.
Hospital, Fresno 93703	2615 Clinton Avenue.
Hospital, Livermore 94550	Veterans Administration Hospital.
Hospital, Long Beach 90801	5901 East Seventh Street.
Center (Hospital and Domiciliary), Los Angeles 90073.	Sawtelle and Wilshire Boulevards.
Brentwood Division	Mail: Los Angeles.
Wadsworth Division	Do.
Hospital, Martinez 94553	150 Muir Road.
Hospital, Palo Alto 94304	Veterans Administration Hospital.
Menlo Park Division	Mail: Palo Alto.
Palo Alto Division	Do.
Hospital, San Fernando 91342	13000 Sayre Street.
Hospital, San Francisco 94121	42d Avenue and Clement Street.
Hospital, Sepulveda 91343	Veterans Administration Hospital.
CANAL ZONE	
VA Office, Balboa	Balboa Clubhouse. Mail: Post Office Box 3672.
COLORADO	
Regional Office, Denver 80225	Denver Federal Center.
Hospital, Denver 80220	1055 Clermont Street.
Hospital, Fort Lyon 81038	Veterans Administration Hospital.
Hospital, Grand Junction 81501	Do.
CONNECTICUT	
Regional Office, Hartford 06103	450 Main Street.
Hospital, Newington 06111	555 Willard Avenue.
Hospital, West Haven 06516	West Spring Street.
DELAWARE	
Regional Office, Wilmington 19899	Post Office Box 1266, 1601 Kirkwood Highway.
Hospital, Wilmington 19805	Veterans Administration Hospital.
DISTRICT OF COLUMBIA	
Central Office, Washington 20420	810 Vermont Avenue NW.
Hospital, Washington 20422	50 Irving Street NW.
Veterans Benefits Office, Washington 20421	2033 M Street NW.
FLORIDA	
Regional Office, St. Petersburg 33731	Post Office Box 1437.
VA Office, Jacksonville 32201	Post Office and Courthouse Building, 311 West Monroe Street. Mail: Post Office Box 505.
VA Office, Miami 33130	51 Southwest First Avenue, Room 100.
Center (Hospital and Domiciliary), Bay Pines 33504.	Veterans Administration Center.
Hospital, Coral Gables 33134	Veterans Administration Hospital.
Hospital, Lake City 32055	Do.
GEORGIA	
Regional Office, Atlanta 30306	730 Peachtree Street NE.
Hospital, Atlanta 30329	Clairmont Road NE. Mail: Box 29457.
Hospital, Augusta 30904	Veterans Administration Hospital.
Forest Hills Division	Mail: Augusta.
Lenwood Division	Do.
Center (Hospital and Domiciliary), Dublin 31021.	Veterans Administration Center.
HAWAII	
Regional Office, Honolulu 96801	680 Ala Moana Boulevard, Post Office Box 3198.
IDAHO	
Center (Regional Office and Hospital), Boise 83707.	Fifth and Fort Streets.
ILLINOIS	
Regional Office, Chicago 60612	2030 West Taylor Street.
Hospital, Chicago 60611	333 East Huron Street (Research).
Hospital, Chicago 60612	820 South Damen Avenue (West Side).
Hospital, Danville 61832	Veterans Administration Hospital.
Hospital, Downey 60064	Do.
Hospital, Hines 60141	Do.
Hospital, Marion 62959	Do.
INDIANA	
Regional Office, Indianapolis 46204	36 South Pennsylvania Street.
Hospital, Fort Wayne 46805	1600 Randalia Drive.
Hospital, Indianapolis 46202	1481 West 10th Street.
10th Street Hospital Division	Mail: 1481 West 10th Street.
Cold Spring Road Hospital Division	Do.

Type of activity and location	Address
INDIANA—Continued	
Hospital, Marion 46952	Veterans Administration Hospital.
IOWA	
Center (Regional Office and Hospital), Des Moines 50308.	Veterans Administration Center.
Hospital, Iowa City 52240	Veterans Administration Hospital.
Hospital, Knoxville 50138	Do.
KANSAS	
Center (Regional Office and Hospital), Wichita 67218.	5500 East Kellogg.
Hospital, Topeka 66622	2200 Gage Boulevard.
Center (Hospital and Domiciliary), Wadsworth 66089.	Veterans Administration Center.
KENTUCKY	
Regional Office, Louisville 40201	1405 West Broadway.
Hospital, Lexington 40507	Veterans Administration Hospital.
Hospital, Louisville 40202	Mellwood and Zorn Avenue.
LOUISIANA	
Regional Office, New Orleans 70113	701 Loyola Avenue.
VA Office, Shreveport 71101	510 East Stoner Avenue.
Hospital, Alexandria 71301	Veterans Administration Hospital.
Hospital, New Orleans 70140	1601 Perdido Street.
Hospital, Shreveport 71101	510 East Stoner Avenue.
MAINE	
Center (Regional Office and Hospital), Togus 04330.	Veterans Administration Center.
VA Office, Portland 04111	76 Pearl Street.
MARYLAND	
Regional Office, Baltimore 21202	Fayette and St. Paul Streets.
Hospital, Baltimore 21216	3900 Loch Raven Boulevard.
Hospital, Fort Howard 21052	Veterans Administration Hospital.
Hospital, Perry Point 21902	Do.
MASSACHUSETTS	
Regional Office, Boston 02203	John Fitzgerald Kennedy Federal Building, Government Center.
VA Office, Springfield 01103	1200 Main Street.
Outpatient Clinic, Boston 02108	17 Court Street.
Hospital, Bedford 01730	200 Springs Road.
Hospital, Boston 02130	150 South Huntington Avenue.
Hospital, Brockton 02401	Veterans Administration Hospital.
Hospital, Northampton 01062	Do.
Hospital, West Roxbury 02132	1400 Veterans of Foreign Wars Parkway.
MICHIGAN	
Regional Office, Detroit 48231	210 Gratiot Avenue at Library.
Hospital, Ann Arbor 48105	2215 Fuller Road.
Hospital, Battle Creek 49016	Veterans Administration Hospital.
Hospital, Dearborn 48121	Do.
Hospital, Iron Mountain 49801	Do.
Hospital, Saginaw 48602	1500 Weiss Street.
MINNESOTA	
Center (Regional Office and Insurance), St. Paul 55111. (Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming)	Fort Snelling, Remittances: Post Office Box 1820.
Hospital, Minneapolis 55417	54th Street and 48th Avenue South.
Hospital, St. Cloud 56301	Veterans Administration Hospital.
MISSISSIPPI	
Center (Regional Office and Hospital), Jackson 39216.	1500 East Woodrow Wilson Boulevard.
Center (Hospital and Domiciliary), Biloxi 39531.	Veterans Administration Center.
Biloxi Division	Mail: Biloxi.
Gulfport Division	Do.
MISSOURI	
Regional Office, St. Louis 63103	Room 4705, Federal Building, 1520 Market Street.
VA Office, Kansas City 64106	601 East 12th Street, Federal Office Building.
Hospital, Jefferson Barracks, St. Louis 63125	Veterans Administration Hospital.
Hospital, Kansas City 64128	4801 Linwood Boulevard.
Hospital, Poplar Bluff 63901	Veterans Administration Hospital.
Hospital, St. Louis 63106	915 North Grand Boulevard.
MONTANA	
Center (Regional Office and Hospital), Fort Harrison 59636.	Veterans Administration Center.
Hospital, Miles City 59301	Veterans Administration Hospital.
NEBRASKA	
Regional Office, Lincoln 68508	220 South 17th Street.
Hospital, Grand Island 68801	Veterans Administration Hospital.
Hospital, Lincoln 68501	600 70th Street.
Hospital, Omaha 68105	4101 Woolworth Avenue.
NEVADA	
Center (Regional Office and Hospital), Reno 89504.	1000 Locust Street.
NEW HAMPSHIRE	
Regional Office, Manchester 03103	497 Silver Street.
Hospital, Manchester 03104	718 Smyth Road.
NEW JERSEY	
Regional Office, Newark 07102	20 Washington Place.
Hospital, East Orange 07019	Veterans Administration Hospital.
Hospital, Lyons 07939	Do.
NEW MEXICO	
Regional Office, Albuquerque 87101	500 Gold Avenue SW.
Hospital, Albuquerque 87108	2100 Ridgecrest Drive SE.
NEW YORK	
Regional Office, Buffalo 14023	1021 Main Street.
VA Office, Rochester 14614	39 State Street.

Type of activity and location	Address
NEW YORK—Continued	
VA Office, Syracuse 13202	Chimes Building, 500 South Salina Street.
Regional Office, New York 10001	252 Seventh Avenue.
VA Office, Albany 12201	Executive Park, North Stuyvesant Plaza.
Outpatient Clinic, Brooklyn 11205	35 Ryerson Street.
Hospital, Albany 12208	Veterans Administration Hospital.
Hospital, Batavia 14020	Do.
Center (Hospital and Domiciliary), Bath 14810.	Veterans Administration Center.
Hospital, Bronx 10468	130 West Kingsbridge Road.
Hospital, Brooklyn 11209	800 Poly Place.
Hospital, Buffalo 14215	3495 Bailey Avenue.
Hospital, Canandaigua 14424	Veterans Administration Hospital.
Hospital, Castle Point 12511	Do.
Hospital, Montrose 10548	Do.
Hospital, New York 10010	First Avenue at East 24th Street.
Hospital, Northport, Long Island 11768	Veterans Administration Hospital.
Hospital, Syracuse 13210	Irving Avenue and University Place.
NORTH CAROLINA	
Regional Office, Winston-Salem 27102	Wachovia Building, 301 North Main Street.
Hospital, Durham 27705	Fulton Street and Erwin Road.
Hospital, Fayetteville 28301	Veterans Administration Hospital.
Hospital, Oteen 28805	Do.
Hospital, Salisbury 28144	Do.
NORTH DAKOTA	
Center (Regional Office and Hospital), Fargo 58102.	Veterans Administration Center.
OHIO	
Regional Office, Cleveland 44114	Cuyahoga Building, 216 Superior Avenue.
VA Office, Cincinnati 45202	550 Main Street, Room 1024, Federal Office Building.
VA Office, Columbus 43215	Bryson Building, 700 Bryden Road.
Hospital, Brecksville 44141	10000 Brecksville Road.
Hospital, Chillicothe 45601	Veterans Administration Hospital.
Hospital, Cincinnati 45220	3200 Vine Street.
Hospital, Cleveland 44106	10701 East Boulevard.
Center (Hospital and Domiciliary), Dayton 45428.	Veterans Administration Center.
OKLAHOMA	
Regional Office, Muskogee 74401	Second and Court Streets.
VA Office, Oklahoma City 73102	Federal Building, 200 Northwest Fourth Street.
Hospital, Muskogee 74401	Memorial Station, Honor Heights Drive.
Hospital, Oklahoma City 73104	921 Northeast 13th Street.
OREGON	
Regional Office, Portland 97204	208 Southwest Fifth Avenue.
Domiciliary, White City 97501	Veterans Administration Domiciliary.
Hospital, Portland 97207	Sam Jackson Park.
Hospital, Roseburg 97470	Veterans Administration Hospital.
PENNSYLVANIA	
Center (Regional Office and Insurance), Philadelphia 19101. (Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Commonwealth of Puerto Rico (including Virgin Islands), Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia.)	5000 Wissahickon Avenue. Mail: Post Office Box 8079. Remittances: Post Office Box 7787.
VA Office, Wilkes-Barre 18701	19–27 North Main Street.
Regional Office, Pittsburgh 15222	1000 Liberty Avenue.
Hospital, Altoona 16603	Veterans Administration Hospital.
Hospital, Butler 16001	Do.
Hospital, Coatesville 19320	Do.
Hospital, Erie 16504	135 East 38th Street Boulevard.
Hospital, Lebanon 17042	Veterans Administration Hospital.
Hospital, Philadelphia 19104	University and Woodland Avenues.
Hospital, Pittsburgh 15206	Leech Farm Road.
Hospital, Pittsburgh 15240	University Drive.
Aspinwall Division	Mail: University Drive, Pittsburgh.
Pittsburgh Division	Do.
Hospital, Wilkes-Barre 18703	1111 East End Boulevard.
Outpatient Clinic, Philadelphia 19102	128 North Broad Street.
PHILIPPINE REPUBLIC	
Regional Office, Manila	1131 Roxas Boulevard. Mailing address: APO San Francisco, Calif. 96528.
PUERTO RICO, COMMONWEALTH OF (INCLUDING THE VIRGIN ISLANDS)	
Center (Regional Office and Hospital), San Juan 00901.	520 Ponce de Leon Avenue.
RHODE ISLAND	
Regional Office, Providence 02903	Federal Building, Kennedy Plaza.
Hospital, Providence 02908	Davis Park.
SOUTH CAROLINA	
Regional Office, Columbia 29201	1801 Assembly Street.
Hospital, Charleston 29403	109 Bee Street.
Hospital, Columbia 29201	Veterans Administration Hospital.
SOUTH DAKOTA	
Center (Regional Office and Hospital), Sioux Falls 57101.	Veterans Administration Center.
Hospital, Fort Meade 57741	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Hot Springs 57747.	Veterans Administration Center.
TENNESSEE	
Regional Office, Nashville 37203	U.S. Courthouse, 801 Broadway.
Hospital, Memphis 38115	Park Avenue and Getwell Street.
Hospital, Murfreesboro 37130	Veterans Administration Hospital.

Type of activity and location	Address
TENNESSEE—Continued	
Center (Hospital and Domiciliary), Mountain Home.	Mail: Veterans Administration Center, Mountain Home, Johnson City, Tenn. 37684.
Hospital, Nashville 37203	1310 24th Avenue South.
TEXAS	
Regional Office, Houston 77061	515 Rusk Avenue.
VA Office, San Antonio 78204	307 Dwyer Avenue.
Regional Office, Waco 76710	1400 North Valley Mills Drive.
VA Office, Dallas 75201	2206 Main Street.
VA Office, Lubbock 79401	1612–20 19th Street.
Hospital, Amarillo 79106	Veterans Administration Hospital.
Hospital, Big Spring 79720	Do.
Center (Hospital and Domiciliary), Bonham 75418.	Veterans Administration Center.
Hospital, Dallas 75216	4500 South Lancaster Road.
Hospital, Houston 77031	2002 Holcombe Boulevard.
Hospital, Kerrville 78028	Veterans Administration Hospital.
Hospital, Marlin 76661	Do.
Center (Hospital and Domiciliary), Temple 76501.	Veterans Administration Center.
Hospital, Waco 76703	Memorial Drive.
Outpatient Clinic, Lubbock 79401	1612–20 19th Street.
Outpatient Clinic, San Antonio 78204	307 Dwyer Avenue.
UTAH	
Regional Office, Salt Lake City 84111	125 South State Street.
Hospital, Salt Lake City 84113	Veterans Administration Hospital.
VERMONT	
Center (Regional Office and Hospital), White River Junction 05001.	Veterans Administration Center.
VIRGINIA	
Regional Office, Roanoke 24011	211 West Campbell Avenue.
Center (Hospital and Domiciliary), Hampton 23367.	Veterans Administration Center.
Hospital, Richmond 23219	1201 Broad Rock Road.
Hospital, Salem 24153	Veterans Administration Hospital.
WASHINGTON	
Regional Office, Seattle 98121	Sixth and Lenora Building.
Hospital, American Lake, Takoma 98493	Veterans Administration Hospital.
Hospital, Seattle 98108	4435 Beacon Avenue South.
Hospital, Spokane 99208	North 4815 Assembly Street.
Hospital, Vancouver 98663	Veterans Administration Hospital.
Hospital, Walla Walla 99362	Do.
WEST VIRGINIA	
Regional Office, Huntington 25701	502 Eighth Street.
Hospital, Beckley 25801	200 Veterans Avenue.
Hospital, Clarksburg 26301	Veterans Administration Hospital.
Hospital, Huntington 25701	1540 Spring Valley Drive.
Center (Hospital and Domiciliary), Martinsburg 25401.	Veterans Administration Center.
WISCONSIN	
Regional Office, Milwaukee 53202	342 North Water Street.
Hospital, Madison 53705	2500 Overlook Terrace.
Hospital, Tomah 54660	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Wood 53193.	5000 West National Avenue.
WYOMING	
Center (Regional Office and Hospital), Cheyenne 82001.	2360 East Pershing Boulevard.
Hospital, Sheridan 82801	Veterans Administration Hospital.

By direction of the Administrator.

A. H. MONK,
Associate Deputy Administrator.

JUNE 29, 1967.

[F.R. Doc. 67-7354; Filed, July 3, 1967; 8:51 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 413]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 29, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2860 (Sub-No. 12 TA), filed June 27, 1967. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representatives: Brodsky, Linett, and Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass or plastic containers, bottles, jars, pack glasses, and jelly tumblers, with or without caps, covers, stoppers or tops, and corrugated paper boxes or paper containers*, knocked down, when moving in mixed shipments with the above-described commodities, between Freehold, N.J., on the one hand, and, on the other, points in Massachusetts and New York; for 180 days. Supporting shipper: Brockway Glass Co., Inc., Brockway, Pa. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 410 Post Office Building, 402 East State Street, Trenton, N.J. 08608.

No. MC 55896 (Sub-No. 32 TA), filed June 27, 1967. Applicant: R–W SERVICE SYSTEM, INC., 4840 Wyoming Avenue, Dearborn, Mich. 48126. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsites and warehouses of Rockwell-Standard Corp., at or near Winchester, Ky., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin; for 180 days. Supporting shipper: Rockwell-Standard Corp., Transmission and Axle Division, Winchester, Ky. 40391. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich., 48226.

No. MC 57688 (Sub-No. 4 TA) (Correction), filed May 23, 1967, published in FEDERAL REGISTER, issue of June 1, 1967, corrected, and republished as corrected, this issue. Applicant: CHICAGO & EASTERN ILLINOIS RAILROAD COMPANY, 646 Chicago Road, Chicago Heights, Ill. 60411. Applicant's representative: James H. Durkin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (1) between Watseka and Villa Grove, Ill.: From Watseka

over U.S. Highway 24 to junction Illinois Highway 49, thence over Illinois Highway 49 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction Illinois Highway 130 at Camargo, Ill., thence over Illinois Highway 130 to Villa Grove, and return over the same route, serving the intermediate and off-route points of Ellis, Carlock, Coaler, Woodland, Bryce, Goodwine, Fountain Creek, Hustle, Reilly, Gerald, Dailey, Royal, Pauline, Glover, Tipton, Rutherford, Block, and Bongard, Ill.; (2) between Watseka and Danville, Ill.: From Watseka over U.S. Highway 24 to junction Illinois Highway 1, thence over Illinois Highway 1 to Danville, and return over the same route, serving the intermediate and off-route points of Milford, Wellington, Hoopeston, Canning Spur, Rossville, Carlock, Coaler, Woodland, Alvin, Bismarck and West Newell, Ill.; (3) between Danville and Villa Grove, Ill.: From Danville over Illinois Highway 1 to junction U.S. Highway 150, thence over U.S. Highway 150 to junction U.S. Highway 36 near Chrisman, thence over U.S. Highway 36 to junction Illinois Highway 130 at Camargo, thence over Illinois Highway 130 to Villa Grove, and return over the same route, serving the intermediate and off-route points of Westville, Bunsen, Switch, Maring, Grape Creek, Riola, Indianola, Scone, Sidell, Hastings, Allerton, Broadlands, Long View and Fairland, Ill.; (4) between Rossville and Sidell, Ill.:

From Rossville over Illinois Highway 1 to junction U.S. Highway 136, thence over U.S. Highway 136 to junction Illinois Highway 49, thence over Illinois Highway 49 to junction U.S. Highway 150, thence over U.S. Highway 150 to junction unnumbered highway at Muncie, Ill., thence over unnumbered highway to Sidell, and return over the same route, serving the intermediate and off-route points of Henning, Bennett, Ryan, Jamaica, Maizetown, Jamesburg, Collison, Brothers, and Bronson, Ill.; (5) between Dawson Park, Ill., and Cissna Park, Ill.: From Dawson Park over unnumbered highway to junction Illinois Highway 1 at Milford, Ill., thence over Illinois Highway 1 to junction unnumbered highway north of Wellington, Ill., thence over unnumbered highway to Cissna Park, and return over the same route, serving the intermediate and off-route points of Honeywell, Stockland, Crawford Switch, Milford, Alonzo, Hickman, Goodwine, and Claytonville, Ill.; (6) (a) between Villa Grove and Thebes, Ill.: From Villa Grove over unnumbered county highway to junction U.S. Highway 45 at Tuscola, Ill., thence over U.S. Highway 45 to junction Illinois Highway 133, thence over Illinois Highway 133 to junction Illinois Highway 32, thence over Illinois Highway 32 to junction unnumbered county highway near Bruce, Ill., thence over unnumbered county highway to junction Illinois Highway 128, thence over Illinois Highway 128 to Shelbyville, Ill., thence over Illinois Highway 16 to junction unnumbered county highway, thence over unnumbered county highway to junction Illinois Highway 33, thence over Illinois Highway 33 to junction Illinois Highway 128, thence over Illinois Highway 128 to junction U.S. Highway 40, thence over U.S. Highway 40 to Altamont, Ill., thence over U.S. Highway 40 to junction unnumbered county highway southwest of St. Elmo, Ill., thence over unnumbered county highway to junction Illinois Highway 185 (also: from Shelbyville, Ill., over Illinois Highway 16 to junction Illinois Highway 32, thence over Illinois Highway 32 to junction U.S. Highway 40 at Effingham, Ill., thence over U.S. Highway 40 through Altamont, Ill., and St. Elmo, Ill., to junction Illinois Highway 185, thence over Illinois Highway 185 to Loogootee, Ill.), thence over Illinois Highway 185 to junction Illinois Highway 37, thence over Illinois Highway 37 to junction unnumbered county highway south of Joppa Junction, thence over unnumbered county highway to junction U.S. Highway 51 at Wetaugh, Ill., thence over U.S. Highway 51 to junction unnumbered county highway at Ullin, Ill., thence over unnumbered county highway to junction Illinois Highway 127, thence over Illinois Highway 127 to junction unnumbered county highway at Tamms, Ill., thence over unnumbered county highway to junction Illinois Highway 3, thence over Illinois Highway 3 to Thebes, Ill. (also: from Joppa Junction over Illinois Highway 37 to junction unnumbered county highway north of Grand Chain, Ill., thence over unnumbered county highway to junction Illinois Highway 127, thence over Illinois Highway 127 to junction Illinois Highway 3, thence over Illinois Highway 3 to Olive Branch); and

(b) Between Joppa Junction and Joppa, Ill.: From Joppa Junction over Illinois Highway 37 to junction Illinois Highway 169, thence over Illinois Highway 169 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction unnumbered county highway south of Choat, Ill., thence over unnumbered county highway to Joppa, Ill., and return over the same route routes, serving the intermediate and off-route points of West Ridge, Tuscola, Craigs, Bourbon, Arthur, Cadwell, Chipps, Sullivan, Kirksville, Findlay, Shelbyville, Clarksburg, Mode, Holland, Moccasin, Altamont, St. Elmo, St. James, Loogootee, St. Peter, Kinmundy, Brubaker, Salem, Carter, Kell, Texico, Mount Vernon, Bonnie, Ina, Whittington, Benton, Orient, West Frankfort, Johnston City, Marion, Goreville, Buncombe, West Vienna, Cypress, Joppa Junction, Oberts, Perks, Ullin, Tamms, Olive Branch, Fayville, Chasco, Mains, Spur, Karnak, and Boaz, Ill., in connection with (a) and (b) above; (7) between Findlay and East St. Louis, Ill.: From Findlay over unnumbered county highway to junction Illinois Highway 128, thence over Illinois Highway 128 to junction unnumbered county highway, thence over unnumbered county highway through Westervelt and Henton, Ill., to Dollville, Ill., thence over unnumbered county highway to junction Illinois Highway 16 (also: from Findlay over unnumbered county highway to junction Illinois Highway 128, thence over Illinois Highway 128 to junction Illinois Highway 16, thence over Illinois Highway 16 to Pana, Ill.), thence over Illinois Highway 16 through Tower Hill, Pana, Rosamon, Nokomis, Witt, and Irving, Ill., to junction Illinois Highway 127 at Hillsboro, Ill., thence over Illinois Highway 127 to Taylor Springs, thence over Illinois Highway 127 to junction Illinois Highway 16 at Hillsboro, thence over Illinois Highway 16 to junction U.S. Highway 66, between Hamel, Ill., and intersection Illinois State line and U.S. Highway Bypass 40 and Bypass 66; between junction U.S. Highway Bypass 66 and U.S. Highway 66 at Hamel, Ill., and intersection Illinois State line and Interstate Highways 55 and 70 over U.S. Highway 66 and Interstate Highways 55 and 70; between junction U.S. Highway Bypass 66 and U.S. Highway 66 at Hamel, Ill., and intersection of Illinois State line and U.S. Highway 66 and Interstate Highways 55 and 70; between junction Illinois Highway 111 and U.S. Highway Bypass 40 and Bypass 66 and junction Illinois Highway 11 and Interstate Highways 55 and 70 over Illinois Highway 111; between junction Illinois Highway 111 and Illinois Highway 162 and intersection of Illinois State line and Main St., Venice, Ill., at McKinley Bridge over Illinois Highway 162, thence over U.S. Highway Alternate 67 to junction Illinois Highway 3 into Venice, Ill., thence over Broadway to Main Street, thence over Main Street and over McKinley Bridge to East St. Louis, and return over the same route, serving the intermediate and off-route points of Westervelt, Henton, Dollville, Pana, Rosamond, Ohlman, Nokomis, Witt, Irving, Hillsboro, Taylor Springs, Livingston, Mitchell Yard, Mitchell, Nameoki, Granite City, and Madison, Ill.; and

(8) Between Chicago, and Watseka, Ill.: From Chicago at 12th and Clark Streets, thence over 12th Street to junction Wabash Avenue, thence over Wabash Avenue to 63d Street, thence over 63d Street to State Street, thence over State Street to 95th Street (also: from Clark and Taylor Streets over Taylor Street to junction State Street, thence over State Street to junction 95th Street), thence on 95th Street to Michigan Avenue, thence over Michigan Avenue to 126th Street, Kensington, thence over 126th Street to junction Indiana Avenue, thence over Indiana Avenue to junction Leyden Avenue, thence over Leyden Avenue to junction South Park Avenue, thence over South Park Avenue through South Holland to junction Eleanor Street, Thornton, thence over Eleanor Street to junction Illinois Highway 83 (also: from junction 126th Street and Indiana Avenue over Indiana Avenue to junction Illinois Highway 83, thence over Illinois Highway 83 to Thornton), thence over Illinois Highway 83 through Thornton and Glenwood to junction unnumbered highway (known as Glenwood-Chicago Heights Road), thence over unnumbered highway (known as Glenwood-Chicago Heights Road) to junction Illinois Highway 1, thence over Illinois Highway 1 to junction 14th Street, Chicago Heights, thence over 14th Street to junction East End Avenue, thence over East End Avenue

through South Chicago Heights and Steger to junction Illinois Highway 1, thence over Illinois Highway 1 through Crete, Goodenow, Beecher, Grant Park and Momence, to junction unnumbered highway south of Momence, thence over unnumbered highway to Wichert, thence over unnumbered highway to junction Illinois Highway 1, thence over Illinois Highway 1 through St. Anne, to junction unnumbered highway south of St. Anne, thence over unnumbered highway to Parineau, thence over said unnumbered highway to junction Illinois Highway 1, thence over Illinois Highway 1 through Martinton to junction unnumbered highway south of Martinton, thence over said unnumbered highway to Pittwood, thence over said unnumbered highway to Illinois Highway 1, thence over Illinois Highway 1 to Watseka, and return over the same route, serving the intermediate and off-route points to Kensington, Dolton, South Holland, Thorn, Chicago Heights, South Chicago Heights, Steger, Crete, Goodenow, Beecher, Grant Park, Momence, Wichert, St. Anne, Papineau, Martinton, and Pittwood, Ill.

NOTE: Duration of temporary authority: 150 days. Applicant states that the Commission's order authorizing the Missouri Pacific Railroad Co. to acquire stock control of applicant has been affirmed by the Supreme Court, thus this application. The Louisville & Nashville Railroad Co. has beneficial ownership of 275,464 shares of applicant's stock out of 1,297,006,798 shares. Applicant states that it intends to tack and interline with other carriers at Chicago and East St. Louis, Ill. The purpose of this republication is to set forth applicant's intention to tack and interline, previously inadvertently omitted. Supporting shippers: There are 56 shippers' supporting statements attached to application which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 95876 (Sub-No. 67 TA), filed June 27, 1967. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, Post Office Box 844, St. Cloud, Minn. 56301. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sectional wooden fencing, wood sections, wood posts, wood rails, and accessories* used in the installation thereof, from points in Amberg Township, Marinette County, Wis., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wyoming; for 180 days. Supporting shipper: M & M Rustic Fence, Inc., Amberg, Wis. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 109435 (Sub-No. 47 TA), filed June 27, 1967. Applicant: ELLSWORTH BROS. TRUCK LINE, INC., Post Office Drawer J, 116 North Allied Road, Stroud, Okla. 74079. Applicant's representative: Hugh Smothers (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in packages, from Ada, Okla., to points in Texas; for 150 days. Supporting shipper: Ideal Cement Co., 821 17th Street, Denver, Colo. 80202 (Paul S. Barnett, General Traffic Manager). Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 119317 (Sub-No. 26 TA), filed June 27, 1967. Applicant: GROSS AND SONS TRANSPORT COMPANY, 10929 Winner Road, Post Office Box 665, Independence, Mo. 64052. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and related items*, between Lubbock, El Paso, Houston, Dallas, Fort Worth, Austin, San Antonio, Amarillo, and Corpus Christi, Tex.; Louisville, Ky.; Warrensburg, St. Joseph, La Plata, Jefferson City, and Sedalia, Mo.; Denver, Colo.; Topeka and Wichita, Kans.; Chicago and Peoria, Ill.; Lincoln, Columbus, Grand Island, Norfolk, and Omaha, Nebr.; Hamilton, Ohio; Albuquerque, N. Mex.; Kansas City, St. Louis, Springfield, Butler, Higginsville, Joplin, and Columbia, Mo.; Memphis and Nashville, Tenn.; Huntington, Ind.; Phoenix and Tucson, Ariz.; Oklahoma City and Tulsa, Okla.; and Des Moines, Sioux City, Griswold, Corning, Shenandoah, Atlantic, Creston, and Fort Dodge, Iowa; under a continuing contract with Sealtest Foods Division of National Dairy Products Corp.; for 150 days. Supporting shipper: Sealtest Foods Division of National Dairy Products Corp., 3805 Van Brunt Extension, Kansas City, Mo. 64128. Send protests to: Vernon V. Coble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut, Kansas City, Mo. 64106.

No. MC 123372 (Sub-No. 13 TA), filed June 27, 1967. Applicant: CARTAGE SERVICES, INC., 26380 Van Born Road, Dearborn Heights, Mich. 48125. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from South Bend, Ind., to points in Illinois; under a continuing contract or contracts with Drewrys Limited U.S.A., Inc.; for 180 days. Supporting shipper: Drewrys Limited U.S.A., Inc., South Bend, Ind. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 124813 (Sub-No. 39 TA), filed June 27, 1967. Applicant: UMTHUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William A. Landau, 1307 East Walnut Street, Post Office Box 1634, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed ingredients* (other than liquid), from Dubuque, Iowa, to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin; for 180 days. Supporting shipper: International Minerals & Chemical Corp., Administrative Center, Skokie, Ill. 60078. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 128936 (Sub-No. 1 TA), filed June 27, 1967. Applicant: JOHN DAVIS AND RICHARD SELLAND, doing business as AUTO TRANSPORT, 2767 13th SW., Seattle, Wash. 98134. Applicant's representative: Boyd Hartman, Suite 1010, Dexter Horton Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pickup trucks*, between points in Washington, Oregon, Montana, and Idaho; for 180 days. Supporting shippers: Nissan Motor Corp. (DATSUN), 4832 Southwest Scholls Ferry Road, Portland, Oreg. 97225; and American Lease Co., 1112 Howell Street, Seattle, Wash. 98101. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 129202 TA, filed June 27, 1967. Applicant: LUNN-BRUNO TRUCKING, INC., Margaretville, N.Y. 12455. Applicant's representative: Harold A. Kleinfeld, First National Bank Building, Fleischmanns, N.Y. 12430. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Logs, timber, wood veneer and wood products*, from Fleischmanns, N.Y., to New Freedom, Pa.; for 180 days. Supporting shipper: Williamson Veneer Co., New Freedom, Pa. Send protests to: Charles F. Jacobs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215–217 Post Office Building, Binghamton, N.Y. 13902.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-7644; Filed, July 3, 1967; 8:52 a.m.]

[Notice 2]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 29, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations pre-

scribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–69658. By order of June 23, 1967, the Transfer Board approved the transfer to Smith's Transfer & Storage Co., Inc., 1313 U Street NW., Washington, D.C. 20009; of certificate in No. MC–2280, issued October 18, 1949, to Smith's Van & Transport Co., Inc., 1313 U Street NW., Washington, D.C. 20009; authorizing the transportation of: Household goods, between Washington, D.C., on the one hand, and, on the other, points in Maryland, Delaware, Virginia, and specified points in Pennsylvania and West Virginia.

No. MC–FC–69659. By order of June 23, 1967, the Transfer Board approved the transfer to Edward D. Walker and David E. Walker, a partnership doing business as D. E. Walker and Son, North Wales, Pa., of certificate in No. MC–30550, issued December 22, 1965, to Fred Horn, Inc., North Wales, Pa., authorizing the transportation of: Household goods, between points in Montgomery County, Pa., on the one hand, and, on the other, points in New Jersey, Delaware, Maryland, and the District of Columbia; and, Iron and steel castings, hand trucks, machinery, and asbestos waste, between North Wales, Pa., on the one hand, and on the other, points in New Jersey. William R. Cooper II, 329 West Main Street, Lansdale, Pa. 19446, attorney for applicants.

No. MC–FC–69660. By order of June 22, 1967, the Transfer Board approved the transfer to State Transport Inc., Woburn, Mass., of certificate of registration in No. MC–99350 (Sub–No. 1), issued July 8, 1965, to Bernard J. Salvador, Jr., Cohasset, Mass., authorizing the transportation of general commodities within the Commonwealth of Massachusetts. Mary E. Kelley, 10 Tremont Street, Boston, Mass. 02108, attorney for Transferee, and Robert J. Gallagher, 111 State Street, Boston, Mass., attorney for Transferor.

No. MC–FC–69731. By order of June 27, 1967, the Transfer Board approved the transfer to Gower Horse Transportation, Inc., Allentown, N.J., of the operating rights of Switt Horse Transportation, Inc., Crosswicks, N.J., in certificate No. MC–126277, issued August 25, 1964, authorizing the transportation of livestock, other than ordinary livestock, and, in connection therewith, personal effects of their attendants, and supplies, and equipment used in the care or exhibition of such animals, over irregular routes, between points in New Jersey, on the one hand, and, on the other, points in New York, Pennsylvania, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, New Jersey, Delaware, Maryland, Virginia, Kentucky, West Virginia, South Carolina, Georgia, and the District of Columbia. Martin Werner, 2 West 45th Street, New York, N.Y. 10036, attorney for Transferor. Barclay P. Malsbury, 12 North Main Street, Allentown, N.J. 08501, attorney for Transferee.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc 67–7645; Filed, July 3, 1967; 8:53 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

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FEDERAL REGISTER

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Tuesday, July 4, 1967 • Washington, D.C.

PART II

The President

Executive Order 11360

Amending the Selective Service Regulations

THE PRESIDENT

Executive Order 11360

AMENDING THE SELECTIVE SERVICE REGULATIONS

By virtue of the authority vested in me by the Military Selective Service Act of 1967 (62 Stat. 604), as amended, I hereby prescribe the following amendments of the Selective Service Regulations prescribed by Executive Orders No. 9979 of July 20, 1948, No. 9988 of August 20, 1948, No. 10008 of October 18, 1948, No. 10001 of September 17, 1948, No. 10202 of January 12, 1951, No. 10292 of September 25, 1951, No. 10363 of June 17, 1952, No. 10366 of June 26, 1952, No. 10469 of July 11, 1953, No. 10562 of September 20, 1954, No. 10659 of February 15, 1956, No. 10714 of June 13, 1957, No. 10735 of October 17, 1957, No. 10809 of March 19, 1959, No. 10984 of January 5, 1962, No. 11098 of March 14, 1963, No. 11188 of November 17, 1964, No. 11241 of August 26, 1965, No. 11266 of January 18, 1966, and No. 11350 of May 3, 1967, and constituting portions of Chapter XVI of Title 32 of the Code of Federal Regulations:

1. The term "Military Selective Service Act of 1967" shall be substituted for "Universal Military Training and Service Act, as amended," wherever the latter appears in the Selective Service Regulations.

2. The term "Environmental Science Services Administration" shall be substituted for "Coast and Geodetic Survey" wherever the latter appears in the Selective Service Regulations.

3. Part 1604, *Selective Service Officers*, is amended as follows:

(a) Section 1604.22, Composition and Appointment, is amended to read as follows:

"For each appeal board area an appeal board, normally of five members, shall be appointed by the President, upon recommendation of the Governor. The members shall be citizens of the United States who are not members of the armed forces or any reserve component thereof; they shall be residents of the area in which their board is appointed; and they shall be at least 30 years of age. No member shall serve on an appeal board for more than twenty-five years, or after he has attained the age of seventy-five years. The appeal board should be a composite board, representative of the activities of its area, and as such should include one member from labor, one member from industry, one physician, one lawyer, and, where applicable, one member from agriculture. If the number of appeals sent to the board becomes too great for the board to handle without undue delay, additional panels of five members similarly constituted shall be appointed to the board by the President, upon recommendation of the Governor. Each such panel shall have full authority to act on all cases assigned to it. Each panel shall act separately. The State Director of Selective Service shall coordinate the work of all the panels to effect an equitable distribution of the workload."

(b) Section 1604.52, Composition and Appointment, is amended by:

(1) Amending paragraph (c) to read as follows:

"(c) The members of local boards shall be citizens of the United States who shall be residents of a county in which their local board has jurisdiction and who shall also, if at all practicable, be residents of the area in which their local board has jurisdiction. No member of a local board shall be a member of the armed forces or any reserve component thereof. Members of local boards shall be at least 30 years of age."

(2) Adding at the end a new paragraph (d) to read as follows:

"(d) No member shall serve on any local board for more than twenty-five years, or after he has attained the age of seventy-five years."

(c) Section 1604.71, Appointment and Duties, is amended as follows:

(1) Paragraph (c) is amended to read as follows:

"(c) Each government appeal agent and associate government appeal agent shall be, whenever possible, a person with legal training and experience."

(2) A new paragraph (e) is added, to read as follows:

"(e) The State Director of Selective Service may authorize any duly appointed government appeal agent or associate government appeal agent to perform such duties for any local board within the state."

4. Part 1611, *Duty and Responsibility to Register*, is amended as follows:

(a) Paragraph (a) of section 1611.2, Persons Not Required to be Registered, is amended to read as follows:

"(a) Under the provisions of section 6(a) of the Military Selective Service Act of 1967 the following persons are not required to be registered;

"(1) Commissioned officers, warrant officers, pay clerks, enlisted men, and aviation cadets of the Regular Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Environmental Science Services Administration, and the Public Health Service;

"(2) cadets, United States Military Academy;

"(3) midshipmen, United States Navy;

"(4) cadets, United States Air Force Academy;

"(5) cadets, United States Coast Guard Academy;

"(6) midshipmen, Merchant Marine Reserve, United States Naval Reserves;

"(7) students enrolled in an officer procurement program at military colleges the curriculum of which is approved by the Secretary of Defense;

"(8) members of the reserve components of the Armed Forces, the Coast Guard, and the Public Health Service, while on active duty, provided that such active duty in the Public Health Service that commences after the enactment of the Military Selective Service Act of 1967 is performed by members of the Reserve of the Public Health Service while assigned to staff any of the various offices and bureaus of the Public Health Service, including the National Institutes of Health, or while assigned to the Coast Guard, the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration; and

"(9) foreign diplomatic representatives, technical attaches of foreign embassies and legations, consuls general, consuls, vice consuls and other consular agents of foreign countries who are not citizens of the United States, and members of their families."

(b) Section 1611.5, Registration of Certain Persons Entering the United States, is amended by striking paragraph (a) and redesignating the provisions of the present paragraph (b) as section 1611.5.

5. Part 1622, *Classification Rules and Principles*, is amended as follows:

(a) Section 1622.1, General Principles of Classification, is amended as follows:

(1) Paragraph (a) is amended to read as follows:

"(a)(1) Primary liability for military training and service provided by the selective service law is placed on those persons in the following categories who are between the ages of 18 years and 6 months and 26 years:

"(i) Every male citizen of the United States;

"(ii) Every male alien admitted to the United States for permanent residence; and

"(iii) Every male alien who has remained in the United States in a status other than that of a permanent resident for a period or periods totaling one year.

"(2) Persons who on June 19, 1951, or thereafter were deferred under the provisions of section 6(c)(2)(A) of the Act that were in effect prior to September 3, 1963, remain liable for training and service until they attain age 28.

"(3) Persons whose liability for training and service is extended by the Act to age 35 are:—

"(i) persons in a medical, dental or allied specialist category, and

"(ii) persons who on June 19, 1951, were, or thereafter are, deferred under any other provisions of section 6 of the Act.

(2) A new paragraph (e) is prescribed, to read as follows:

"(e) Notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction, and when available shall be immediately inducted."

(b) Section 1622.11, Class I–A–O: Conscientious Objector Available for Noncombatant Military Service Only, is amended by deleting paragraph (b) thereof, and paragraph (a) is redesignated as section 1622.11.

(c) Paragraph (d) of section 1622.12, Class I–C: Member of the Armed Forces of the United States, the Environmental Science Services Administration, or the Public Health Service, is amended to read as follows:

"(d) Exclusive of periods for training only, every registrant who is a member of a reserve component of the Armed Forces and is on active duty, and every member of the Reserve of the Public Health Service on duty prior to the enactment of the Military Selective Service Act of 1967 or who after such enactment is on active duty and assigned to staff the various offices and bureaus of the Public Health Service including the National Institutes of Health, or assigned to the Coast Guard, or the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration."

(d) Paragraph (f) of section 1622.13, Class I–D: Member of Reserve Component or Student Taking Military Training, is amended to read as follows:

"(f) In Class I–D shall be placed any registrant, other than a registrant referred to in paragraph (b) or (g) of this section, who—

"(1) prior to the issuance of orders for him to report for induction; or

"(2) prior to the date scheduled for his induction and pursuant to a proclamation by the Governor of a State to the effect that the authorized strength of any unit of the National Guard of that State cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction; or

"(3) prior to the date scheduled for his induction and pursuant to a determination by the President that the strength of the Ready Reserve of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction;

enlists or accepts appointment, before attaining the age of 26 years, in

the Ready Reserve of any Reserve component of the Armed Forces, the Army National Guard, or the Air National Guard. Such registrant shall remain eligible for Class I–D so long as he serves satisfactorily as a member of an organized unit of such Ready Reserve or National Guard, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense, or serves satisfactorily as a member of the Ready Reserve of another reserve component, the Army National Guard, or the Air National Guard, as the case may be."

(e) Paragraph (b) of section 1622.14, Class I–O: Conscientious Objector Available for Civilian Work Contributing to the Maintenance of the National Health, Safety, or Interest, is hereby rescinded, and paragraph (a) is redesignated as section 1622.14.

(f) Paragraph (b) of section 1622.15, Class I–S: Student Deferred by Statute, is amended to read as follows:

"(b) In Class I–S shall be placed any registrant who while satisfactorily pursuing a full-time course of instruction at a college, university or similar institution of learning and during his academic year at such institution is ordered to report for induction, except that no registrant shall be placed in Class I–S under the provisions of this paragraph

"(1) who has previously been placed in Class I–S thereunder or

"(2) who has been deferred as a student in Class II–S and has received his baccalaureate degree.

A registrant who is placed in Class I–S under the provision of this paragraph shall be retained in Class I–S

"(1) until the end of his academic year or

"(2) until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier.

The date of the classification in Class I–S and the date of its termination shall be entered in the "Remarks" column of the Classification Record (SSS Form 102) and be identified on that record as Class I–S(C)."

(g) Section 1622.22, Class II–A: Registrant Deferred Because of Civilian Occupation (Except Agriculture and Activity in Study), is amended by designating the present provisions thereof as paragraph (a) and by adding thereto a new paragraph (b), to read as follows:

"(b) In Class II–A shall be placed any registrant who is preparing for critical skills and other essential occupations as identified by the Director of Selective Service upon the advice of the National Security Council."

(h) Paragraph (c) of section 1622.23, Necessary Employment Defined, is amended to read as follows:

"(c) The Director of Selective Service may from time to time, upon the advice of the National Security Council, identify needed professional and scientific personnel and those engaged in and preparing for critical skills and other essential occupations."

(i) Section 1622.24, Class II–C: Registrant Deferred Because of Agricultural Occupation, is amended by rescinding paragraph (c) thereof.

(j) Section 1622.25, Class II–S: Registrant Deferred Because of Activity in Study, is amended to read as follows:

"(a) In Class II–S shall be placed any registrant who has requested such deferment and who is satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning, such deferment to continue until such registrant completes the requirement for his baccalaureate degree, fails to pursue satisfactorily a full-time course of instruction, or attains the twenty-fourth anniversary of the date of his birth, whichever occurs first.

"(b) In determining eligibility for deferment in Class II–S, a student's 'academic year' shall include the 12-month period following the beginning of his course of study.

"(c) A student shall be deemed to be 'satisfactorily pursuing a full-time course of instruction' when, during his academic year, he has earned, as a minimum, credits toward his degree which, when added to any credits earned during prior academic years, represent a proportion of the total number required to earn his degree at least equal to the proportion which the number of academic years completed bears to the normal number of years established by the school to obtain such degree. For example, a student pursuing a four-year course should have earned 25% of the credits required for his baccalaureate degree at the end of his first academic year, 50% at the end of his second academic year, and 75% at the end of his third academic year.

"(d) It shall be the registrant's duty to provide the local board each year with evidence that he is satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning."

(k) Section 1622.26, Class II–S: Registrant Deferred Because of Activity in Graduate Study, is hereby prescribed, to read as follows:

"(a) In Class II–S shall be placed any registrant who is satisfactorily pursuing a course of graduate study in medicine, dentistry, veterinary medicine, osteopathy or optometry, or in such other subjects necessary to the maintenance of the national health, safety, or interest as are identified by the Director of Selective Service upon the advice of the National Security Council.

"(b) Any registrant who is entering his second or subsequent year of post-baccalaureate study without interruption on October 1, 1967, may be placed in Class II–S if his school certifies that he is satisfactorily pursuing a full-time course of instruction leading to his degree; but such registrant shall not be deferred for a course of study leading to a master's degree or the equivalent for more than one additional year, or for a course of studying leading to a doctoral or professional degree or the equivalent (or combination of master's and doctoral degrees) for more than a total of five years, inclusive of the years already used in such course of study, or for one additional year, whichever is greater. Any registrant enrolled for his first year of post-baccalaureate study in a graduate school or a professional school on October 1, 1967, or accepted for admission involving enrolled status on October 1, 1967, may be placed in Class II–S if he has entered the first class commencing after the date he completed the requirements for admission and shall be deferred for one academic year only, or until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier."

(l) Paragraph (a) of section 1622.30, Class III–A: Registrant With a Child or Children; and Registrant Deferred by Reason of Extreme Hardship to Dependents, is amended to read as follows:

"(a) In Class III–A shall be placed any registrant who has a child or children with whom he maintains a bona fide family relationship in their home and who is not a physician, dentist or veterinarian, or who is not in an allied specialist category which may be announced by the Director of Selective Service after being advised by the Secretary of Defense that a special requisition under authority of section 1631.4 of these regulations will be issued by the delivery of registrants in such category, except that a registrant who is classified in Class II–S after the date of enactment of the Military Selective Service Act of 1967 shall not be eligible for classification in Class III–A under the provisions of this paragraph."

(m) Section 1622.40, Class IV–A: Registrant Who Has Completed Service; Sole Surviving Son, is amended by:

(1) Amending subparagraph (3) of paragraph (a) to read as follows:

"(3) A registrant who has served on active duty for a period of not less than twenty-four months as a commissioned officer in the Environmental Science Services Administration or in the Public Health Service, provided that such period of active duty in the Public Health

Service as a commissioned reserve officer commencing after the date of enactment of the Military Selective Service Act of 1967 shall have been performed by the registrant while assigned to staff any of the various offices and bureaus of the Public Health Service including the National Institutes of Health, or while assigned to the Coast Guard, or the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration."

(2) Amending paragraph (b) by adding at the end thereof a new subparagraph (6), to read as follows:

"(6) Periods of active duty of members of the Reserve of the Public Health Service commencing after the date of enactment of the Military Selective Service Act of 1967 other than when assigned to staff any of the various offices and bureaus of the Public Health Service, including the National Institutes of Health, or the Coast Guard or the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration."

(n) Section 1622.42, Class IV–C: Aliens, is amended by adding thereto a new paragraph (d), to read as follows:

"(d) In Class IV–C shall be placed an alien who has registered at a time when he was required by the selective service law to present himself for and submit to registration and thereafter has acquired status within one of the groups of persons exempt from registration."

(o) Paragraph (a) and (b) of section 1622.50, Class V–A: Registrant Over the Age of Liability for Military Service, are amended to read as follows:

"(a) In Class V–A shall be placed every registrant who has attained the twenty-sixth anniversary of the day of his birth except—

"(1) those registrants who are in active military service in the armed forces and are in Class I–C,

"(2) those registrants who are performing civilian work contributing to the maintenance of the national health, safety, or interest in accordance with the order of the local board and are in Class I–W,

"(3) those registrants who have consented to induction,

"(4) those registrants who on June 19, 1951, or at any time thereafter, were deferred under the provisions of section 6 of the Military Selective Service Act of 1967, and

"(5) registrants who are in a medical, dental, or allied specialist category."

"(b) In Class V–A shall be placed every registrant who has attained the twenty-eighth anniversary of the day of his birth except—

"(1) those registrants who are in active military service in the armed forces and are in Class I–C,

"(2) those registrants who are performing civilian work contributing to the maintenance of the national health, safety, or interest in accordance with the order of the local board and are in Class I–W,

"(3) those registrants who have consented to induction,

"(4) those registrants who on June 19, 1951, or at any time thereafter, were deferred under any provisions of section 6 of the Military Selective Service Act of 1967 other than the provisions of subsection (c)(2)(A) of such section which were in effect prior to September 3, 1963, and

"(5) those registrants who are in a medical, dental, or allied specialist category."

6. Part 1626, *Appeal to Appeal Board*, is amended as follows:

(a) Subparagraph (3) and (4) of paragraph (b) of section 1626.24, Review by Appeal Board, are rescinded.

(b) Section 1626.25, Special Provisions When Appeal Involves Claim that Registrant Is a Conscientious Objector, is hereby rescinded.

7. Paragraph (a) of section 1630.4, of Part 1630, *Volunteers*, is amended to read as follows:

"(a) Disregarding all other grounds for deferment, he would be classified in Class II–A, Class II–C, or Class III–A;"

8. Part 1631, *Quotas and Calls*, is amended as follows:

(a) Section 1631.4, Calls by the Secretary of Defense, is amended to read as follows:

"(a) The Secretary of Defense may from time to time place with the Director of Selective Service a call or requisition for a specified number of men required for induction into the Armed Forces. The Secretary of Defense may also from time to time place with the Director of Selective Service a call or requisition for a specified number of men in any medical, dental, or allied specialist category required for induction into the Armed Forces.

"(b) When future needs of the Armed Forces may require it, the Secretary of Defense also may from time to time place with the Director of Selective Service a call or requisition for a specified number of men for induction into the Armed Forces, designating the age group or groups from which such men shall be selected.

"(c) All registrants born within any calendar year shall constitute an age group within the meeting of this section.

"(d) The Secretary of Defense shall present such calls or requisition to the Director of Selective Service not less than 60 days prior to the period during which the delivery and induction of such men are to be accomplished."

(b) Paragraph (a) of section 1631.5, Calls by the Director of Selective Service, is amended to read as follows:

"(a) The Director of Selective Service shall, upon receipt of a call or requisition from the Secretary of Defense for a specified number of men to be inducted into the Armed Forces, allocate such call or requisition among the several States."

(c) Section 1631.7, Action by Local Board Upon Receipt of Notice of Call, is amended as follows:

(1) Paragraph (a) is amended by adding the phrase, "When a call is placed without designation of age group or groups," immediately before the phrase "Each local board * * *" at the beginning of the first sentence so that the beginning will read as follows: "When a call is placed without designation of age group or groups, each local board, upon receiving a * * *"; and is further amended by striking from the second proviso thereof the phrase "if an appeal is not pending in his case and the period during which an appeal may be taken has expired," so that the beginning of the second proviso will read as follows: "*And provided further*, That a registrant classified in Class I–A or Class I–A–O who has volunteered for induction may be selected and ordered for induction * * *."

(2) Paragraph (b) is redesignated as paragraph (c) and a new paragraph (b) is prescribed to read as follows:

"(b) When a call is placed with designation of age group or groups, each local board, upon receiving a Notice of Call on Local Board (SSS Form 201) from the State Director of Selective Service for a specified number of men to be delivered for induction, shall select and order to report for induction the number of men required to fill the call from among its registrants who have been classified in Class I–A and Class I–A–O and who have been found acceptable for service in the Armed Forces and to whom the local board has mailed a Statement of Acceptability (DD Form 62) at least 21 days before the date fixed for induction; *Provided*, That a registrant classified in Class I–A or Class I–A–O who is a delinquent may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and has not been mailed a Statement of Acceptability (DD Form 62); *And provided further*, That a registrant classified in Class I–A or

Class I–A–O who has volunteered for induction may be selected and ordered to report for induction notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and regardless of whether a Statement of Acceptability (DD Form 62) has been mailed to him. Such registrants shall be selected and ordered to report for induction in the following order:

"(1) Delinquents who have attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

"(2) Volunteers who have not attained the age of 26 years in the sequence in which they have volunteered for induction.

"(3) Registrants in the designated age group; and registrants who previously have been deferred in Class I–S–C after attaining the age of 19 years, or who have requested and have been granted a deferment in Class II–S after the enactment of the Military Selective Service Act of 1967, and who are no longer so deferred, shall be considered as being within the age group called regardless of their actual age. These registrants shall be integrated and called according to the month and day of their birth, the oldest first. Registrants who have been deferred in Class I–S–C or Class II–S and have been integrated with a prime age group under the provisions of this paragraph shall, for the purposes of selection and call, thereafter be considered a member of such age group."

(d) Section 1631.8, Registrants Who Shall Be Inducted Without Calls, is amended by adding at the end thereof a new paragraph (c), to read as follows:

"(c) Notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction and when available shall be immediately inducted."

9. Subparagraph (3) of paragraph (b) of section 1632.20 of Part 1632, *Delivery and Induction*, is amended to read as follows:

"(3) For each registrant found not qualified for service in the Armed Forces, file the original Record of Induction (DD Form 47), the original Report of Medical Examination (Standard Form 88), the copy of the Report of Medical History (Standard Form 89) and any copy of the Application for Voluntary Induction (SSS Form 254) in the Cover Sheet (SSS Form 101) and forward to the State Director of Selective Service the copy of the Record of Induction (DD Form 47)."

10. Part 1642, *Delinquents*, is amended as follows:

(a) Section 1642.10, Restriction on Classification and Induction of Delinquents, is amended to read as follows:

"No delinquent registrant shall be placed in Class I–A, Class I–A–O, or Class I–O under the provisions of section 1642.12 or shall be ordered to report for induction under the provisions of section 1642.13 or section 1631.7 of this chapter, or, in the case of a conscientious objector opposed to noncombatant training and service, ordered to report for civilian work in lieu of induction, unless the local board has declared him to be a delinquent in accordance with the provisions of section 1642.4 and thereafter has not removed him from such delinquency status."

(b) Section 1642.12, Classification of Delinquent Registrant, is amended to read as follows:

"Any delinquent registrant between the ages of 18 years and 6 months and 26 years and any delinquent registrant between the ages of 26 and 28 who was deferred under the provisions of section 6(c)(2)(A) of the Military Selective Service Act of 1967 which were in effect prior to September 3, 1963, and any delinquent registrant between the ages of 26 and 35 who on June 19, 1951, was, or thereafter has been or may be, deferred under any other provision of section 6 of such Act, including the provisions of subsection (c)(2)(A) in effect on and after September 3, 1963, may be classified in or reclassified into

Class I–A, Class I–A–O or Class I–O, whichever is applicable, regardless of other circumstances: *Provided*, That a delinquent registrant who by reason of his service in the Armed Forces is eligible for classification into Class IV–A may not be classified or reclassified into Class I–A, Class I–A–O or Class I–O under this section unless such action is specifically authorized by the Director of Selective Service."

(c) Section 1642.13, Certain Delinquents to Be Ordered to Report for Induction or for Civilian Work in Lieu of Induction, is amended to read as follows:

"The local board shall order each delinquent registrant between the ages of 18 years and 6 months and 26 years and each delinquent registrant between the ages of 26 and 28 who was deferred under the provisions of section 6(c)(2)(A) of the Military Selective Service Act of 1967 which were in effect prior to September 3, 1963, and each delinquent registrant between the ages of 26 and 35 who on June 19, 1951, was, or thereafter has been or may be, deferred under any other provisions of section 6 of such Act, including the provisions of subsection (c)(2)(A) in effect on and after September 3, 1963, who is classified in or reclassified into Class I–A or Class I–A–O to report for induction in the manner provided in section 1631.7 of this chapter, or in the case of a delinquent registrant classified or reclassified into Class I–O, the local board shall determined the type of civilian work it is appropriate for him to perform and shall order him to perform such civilian work in lieu of induction in accordance with the provisions of Part 1660 of this chapter, unless in either case (a) it has already issued such order, or (b) pursuant to a written request of the United States Attorney, the local board determines not to order such registrant to report for induction or civilian work."

(d) Section 1642.14, Personal Appearance, Reopening, and Appeal, is amended to read as follows:

"(a) When a delinquent registrant is classified in or reclassified into Class I–A, Class I–A–O or Class I–O under the provisions of this part, a personal appearance may be requested and shall be granted under the same circumstances as in any other case.

"(b) The classification of a delinquent registrant who is classified in or reclassified into Class I–A, Class I–A–O or Class I–O under the provisions of this part may be reopened at any time before induction or before the date he is to report for civilian work in the discretion of the local board without regard to the restrictions against reopening prescribed in section 1625.2 of this chapter.

"(c) When a delinquent registrant is classified in or reclassified into Class I–A, Class I–A–O or Class I–O under the provisions of this part, an appeal may be taken under the same circumstances and by the same persons as in any other case."

(e) Section 1642.15, Continuous Duty of Certain Registrants to Report for Induction or for Civilian Work in Lieu of Induction, is amended to read as follows:

"Regardless of the time when or the circumstances under which a registrant fails or has failed to report for induction pursuant to an Order to Report for Induction (SSS Form 252) or pursuant to an Order for Transferred Man to Report for Induction (SSS Form 253), or fails or has failed to report for civilian work in lieu of induction pursuant to an Order to Report for Civilian Work and Statement of Employer (SSS Form 153), it shall thereafter be his continuing duty from day to day to report for induction or for civilian work in lieu of induction to his own local board, and to each local board whose area he enters or in whose area he remains."

(f) Section 1642.21, Procedure, is amended as follows:

(1) Paragraph (c) is redesignated as paragraph (e).

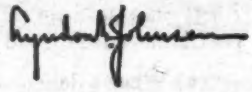
(2) New paragraph (c) and (d) are prescribed to read as follows:

"(c) If a delinquent registrant who is in Class I–O reports to or is brought before a local board other than his own local board, the local board to which he reports or before which he is brought shall advise his own local board by telegram or other expeditious means that the delinquent has reported to or has been brought before such local board, and that he will be ordered under the provisions of Part 1660 to perform civilian work deemed appropriate by such local board for the registrant to perform in lieu of induction, if it is satisfactory to his own local board. The registrant's own local board shall reply by telegram or other expeditious means.

"(d) If the registrant's own local board advises that the registrant is delinquent because he has failed to respond to an Order to Report for Civilian Work and Statement of Employer (SSS Form 153), the local board at which the registrant appeared or was brought shall issue to him written instructions regarding the date and place he is to report for work and the type of work he is to perform. Whenever necessary, travel, meals and lodging may be furnished the registrant under the provisions of section 1660.21(b) of this chapter."

(3) Paragraph (c), as redesignated, is amended to read as follows:

"(e) If the registrant's own local board advises that no Order to Report for Induction (SSS Form 252) or Order for Transferred Man to Report for Induction (SSS Form 253) or Order to Report for Civilian Work and Statement of Employer (SSS Form 153) has been issued to such registrant or that the registrant is no longer a delinquent, it shall advise the local board before which the registrant has appeared or has been brought of the action to be taken with reference to such registrant."



THE WHITE HOUSE,
June 30, 1967.

[F.R. Doc. 67-7754; Filed, July 3, 1967; 10:10 a.m.]